

Title VI & Limited English Proficiency [LEP] Plan



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Report Documentation

Title:

The Hampton Roads Planning District Commission (HRPDC) & Hampton Roads Transportation Planning Organization (HRTPO) Title VI Plan

Report Date:

July 2023

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An updated and full staff listing can be found on the [Hampton Roads Planning District Commission staff page](#) and the [Hampton Roads Transportation Planning Organization staff page](#).

Title VI of the Civil Rights Act of 1964 states, *No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.* Subsequent laws and Presidential Executive Orders added disability, sex, age, or income status to the criteria for which discrimination is prohibited.

The Hampton Roads Planning District Commission (HRPDC) and Hampton Roads Transportation Planning Organization (HRTPO) Title VI and Limited English Proficiency (LEP) Plans has been developed to ensure the HRPDC/HRTPO complies with nondiscrimination requirements as outlined in Title 23 CFR and 49 CFR and related laws and provide specific information on how to file a discrimination complaint.

A Limited English Proficient person does not speak English as their primary language and/or has a limited ability to read, speak, write, or understand English very well. The HRPDC/HRTPO (LEP) Plan is part of a comprehensive effort to provide language assistance for LEP persons seeking meaningful access to HRPDC/HRTPO plans, programs, and activities as required by Executive Order 13166.

This Plan details procedures for identifying a person who may need language assistance, how assistance may be provided, and guidelines to notify LEP persons that assistance is available. In developing this LEP Plan, the HRTPO staff conducted a U.S. Department of Transportation (USDOT) Four-Factor LEP analysis, which considers the following:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the HRPDC/HRTPO programs, activities, or services;
2. The frequency with which LEP individuals come in contact with the HRPDC/HRTPO programs, activities, or services;
3. The nature and importance of the program, activity, or service provided by the HRPDC/HRTPO to the LEP population; and
4. The resources available to the HRPDC/HRTPO and the overall cost to provide LEP assistance.

This Plan provides an overview of Environmental Justice(EJ) and (LEP) concepts, definitions of Title VI and associated nondiscrimination acts, and how Title VI, EJ, and LEP are incorporated into the metropolitan planning process. Environmental Justice guidelines and outreach strategies for minority, low-income, and LEP populations are included within the HRPDC/HRTPO Public Participation Plan.

For more information about this plan, please contact the HRPDC/HRTPO at (757) 420-8300 or email titlevi@hrpdcva.gov.

Acknowledgments

This plan was prepared in cooperation with standards set forth by the U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), and Virginia Department of Transportation (VDOT). The contents of this report reflect the views of the Hampton Roads Planning District Commission (HRPDC) & Hampton Roads Transportation Planning Organization (HRTPO). The HRPDC/HRTPO is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the USDOT, FHWA, or VDOT. This report does not constitute a standard, specification, or regulation. FHWA or VDOT acceptance of this report as evidence of fulfillment of the objectives of this planning study does not constitute endorsement/approval of the need for any recommended improvements, nor does it constitute approval of their location and design or a commitment to fund any such modifications. Additional project-level environmental impact assessments and studies of alternatives may be necessary.

FHWA approved the original Title VI Plan in August 2010. The LEP Plan was included as a work element in the FY 2017 Unified Planning Work Program (UPWP) and was updated in June 2019 to reflect changes in internal staff and partner agencies, and received an administrative update in January 2022 to incorporate the 2015-2019 American Community Survey (ACS) data in the analyses. The most recent 2023 revisions reflect requested updates from VDOT and FHWA.

The HRPDC/HRTPO acknowledges that historical exclusionary and discriminatory practices have often prevented disadvantaged communities from fully participating in regional planning practices. In a commitment to a more inclusionary process, the HRPDC/HRTPO actively strives to engage with underrepresented and disadvantaged communities on relevant regionally significant activities and projects. Hampton Roads is home to a diverse range of people with varying backgrounds and needs. HRPDC/HRTPO actively attempts to account for this in the conceptualization, planning, and execution of regional planning projects.

The HRPDC/HRTPO assures that no person shall, on the grounds of race, color, national origin, disability, sex, age, or income status, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259) and subsequent non-discrimination laws and related authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

The HRPDC/HRTPO further assures that every effort will be made to ensure nondiscrimination in all its programs and activities, whether federally funded or not. If the HRPDC/HRTPO distributes federal-aid funds to another governmental entity, the HRPDC/HRTPO will include Title VI language in all written agreements and monitor for compliance. The HRPDC/HRTPO Executive Director is responsible for ensuring the implementation of the organization's Title VI Plan. The Title VI Administrator, under the supervision of the Executive Director, is responsible for coordinating the overall administration of the Title VI/LEP Plan and assurances. The authorities that guide Title VI and related nondiscrimination laws, regulations, and executive orders can be found in this document's "Understanding Title VI Compliance" section.

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Title VI

What is Title VI?

Title VI is a section of the Civil Rights Act of 1964 that prohibits discrimination based on race, color, or national origin in any program or activity that receives federal funding, regardless of the amount. If an organization, entity, or program receives federal money, it must ensure that everyone is treated fairly regardless of race, color, or national origin. If they fail to do so, they may lose their federal funding. Title VI is an important law that helps protect people from discrimination in many areas, including education, healthcare, and transportation, and because it helps ensure everyone has equal access to federally funded programs and activities regardless of race, color, or national origin.

Before the Civil Rights Act of 1964 and the implementation of Title VI, discrimination based on race, color, or national origin was commonplace, particularly in the Southern United States. This discrimination had far-reaching and damaging effects, particularly on communities of color often excluded from essential programs and services.

Title VI helps to ensure that this discrimination does not occur in any program or activity receiving federal funding. This includes important areas such as education, healthcare, and transportation. By prohibiting discrimination and ensuring equal access to these programs and services, Title VI helps to promote fairness, equality, and opportunity for all people, regardless of their background. It is an essential tool in the ongoing civil rights and social justice struggle.

Subsequent laws and Presidential Executive Orders added disability, sex, age, and income status to the criteria for which discrimination is prohibited.

This document addresses the prohibition of discrimination as mandated by Title VI. In addition to nondiscrimination, this document provides information regarding two Presidential Executive Orders about fairness and inclusiveness.

- Executive Order 12898 mandates that federal agencies address equity and fairness, or Environmental Justice, toward low-income and minority persons and populations.
- Executive Order 13166 mandates that federal agencies ensure that people with Limited English Proficiency (LEP) have meaningful access to federally conducted and funded programs and activities.

Detailed Environmental Justice guidelines and outreach strategies for minority, low-income, and LEP populations to comply with Executive Order 12898 and Executive Order 13166 are included, each as a separate chapter within the HRPDC/HRTPO Public Participation Plans.

A Timeline of Title VI

Here is a timeline of events that led to the creation of Title VI:

- The Late 1800s to early 1900s: Jim Crow laws and practices, including segregation and voter suppression, became prevalent throughout the Southern United States.
- 1954: The landmark Supreme Court case *Brown v. Board of Education* declares segregation in public schools unconstitutional.
- 1955: The Civil Rights Act of 1955 was passed, establishing the United States Commission on Civil Rights to investigate allegations of discrimination.
- 1957: The Civil Rights Act of 1957 is passed, creating the Civil Rights Division of the Department of Justice and establishing the federal government's authority to investigate and prosecute discrimination cases.
- 1964: The Civil Rights Act 1964 prohibits discrimination based on race, color, religion, sex, or national origin in employment, education, and public accommodations.
- 1969: Title VI of the Civil Rights Act of 1964 is amended to prohibit discrimination based on sex in addition to race, color, and national origin.
- 1972: Title IX of the Education Amendments is passed, prohibiting sex discrimination in education programs and activities receiving federal financial assistance.
- 1973: The Rehabilitation Act of 1973 is passed, prohibiting discrimination based on disability in programs and activities receiving federal financial assistance.
- 1990: The Americans with Disabilities Act is passed, prohibiting discrimination based on disability in employment, public accommodations, transportation, and telecommunications.
- 1991: The Civil Rights Act of 1991 is passed, strengthening protections against employment discrimination and allowing for compensatory and punitive damages in cases of intentional discrimination.

Overall, the creation of Title VI resulted from the Civil Rights Movement and the federal government's response to widespread discrimination and inequality faced by marginalized communities. It was one of several significant legislative efforts to promote equality and justice in the United States during the mid-20th century. The Civil Rights Act of 1964 has helped lay the foundation for numerous other civil rights and anti-discrimination laws and policies in the United States. While progress has been made in many areas, discrimination and inequality persist, and ongoing efforts are needed to promote equity and justice for all individuals.

Title VI and Hampton Roads

Title VI of the Civil Rights Act of 1964 is an essential protection for Hampton Roads residents. Title VI prohibits discrimination based on race, color, and national origin in any program or activity that receives federal funding.

Hampton Roads is home to a diverse population, including many communities of color. Title VI protections are critical for ensuring these communities have equal access to essential resources and services, such as transportation, education, and healthcare.

For example, Title VI protections can help ensure that transportation systems are accessible to all the region's residents, regardless of race or ethnicity. This means that public transportation services, such as buses and trains, must be operated in a way that does not discriminate against riders based on race or ethnicity.

Redlining was a discriminatory practice that started in the 1930s in the United States. The practice involved lenders drawing red lines on maps to designate areas where they would not provide mortgage loans or other financial services based on the racial and ethnic makeup of those neighborhoods. This resulted in many communities of color, particularly Black Americans, being excluded from homeownership and other financial opportunities, which had long-lasting effects on their economic and social well-being.

In the Hampton Roads region of Virginia, redlining practices were prevalent. Neighborhoods with large Black populations were often designated as high-risk areas by lenders, making it difficult or impossible for residents to obtain mortgages or loans to start businesses.

The effects of redlining are still felt in the region today, as many of these neighborhoods continue to face economic and social challenges. For example, many of these neighborhoods lack access to quality healthcare, education, and job opportunities, which can perpetuate cycles of poverty and disadvantage the residents there. Additionally, many of these neighborhoods have lower property values, making it difficult for residents to build wealth through homeownership.

Efforts have been made in recent years to address the effects of redlining and promote more significant equity and inclusion in the Hampton Roads region. This includes initiatives to promote affordable housing, such as the HRPDC's Come Home program, as well as partnerships with organizations focused on workforce development programs, and community development projects to improve the quality of life in historically marginalized neighborhoods. However, much work must be done to ensure that all regional residents can access the resources and opportunities they need to thrive.

Overall, Title VI protections are critical for ensuring that all Hampton Roads residents, regardless of race or ethnicity, have access to important resources and services. These protections are important for promoting equity and addressing historical injustices that have impacted communities of color in the region.

Understanding this Document

Title VI of the Civil Rights Act of 1964 is a federal law that prohibits discrimination based on race, color, and national origin in any program or activity that receives federal funding. A Title VI plan aims to ensure that the policies and practices of organizations that receive federal funds, such as the HRPDC/HRTPO, do not result in discrimination against individuals or groups based on their race, color, or national origin.

The HRPDC/HRTPO's Title VI plan outlines the steps that the organization will take to ensure that its regional planning processes and services are accessible to all residents, regardless of their race, color, or national origin. This includes identifying potential barriers to access and developing strategies to eliminate them.

The plan also includes a complaint procedure, which can be found on page 35, allowing individuals who believe that they have experienced discrimination in the organization's programs or services to file a complaint. The organization will investigate complaints and appropriately address any identified discrimination.

By developing and implementing a Title VI plan, the HRPDC/HRTPO is demonstrating its commitment to providing equitable planning services and ensuring all residents have access to safe, reliable, and efficient communities.

Regional Planning Agencies

The Hampton Roads Planning District Commission (HRPDC) and The Hampton Roads Transportation Planning Organization (HRTPO)

Planning District Commissions (PDCs)

Virginia Planning District Commissions (PDCs) are regional organizations established under the Regional Cooperation Act of Virginia. They collaborate with local governments, businesses, and residents and are vital in addressing critical regional issues such as land use, transportation, and economic development. By listening to the community's needs and concerns, PDCs help create plans and policies that reflect local priorities. They also provide resources and expertise to support local governments in making informed decisions. Through the Regional Cooperation Act, PDCs facilitate regional collaboration and ensure that communities have a collective voice in shaping their region's development, fostering a better quality of life for all.

The HRPDC is the PDC for the 17 Hampton Roads region localities, established to discuss common needs and determine solutions to regional issues. The 17 localities included in the HRPDC are as follows:

- City of Chesapeake
- City of Franklin
- Gloucester County
- City of Hampton
- Isle of Wight County
- James City County
- City of Newport News
- City of Norfolk
- City of Poquoson
- City of Portsmouth
- Town of Smithfield
- Southampton County
- City of Suffolk
- Surry County
- City of Virginia Beach
- City of Williamsburg
- York County

Please see Map 1 for a visual of the HRPDC member localities.

Metropolitan Planning Organizations (MPOs)

A Metropolitan Planning Organization (MPO) helps plan transportation in Metropolitan Planning Areas (MPAs), or large cities and urban areas with a population of 200,000 or greater. MPOs bring together government officials, transportation agencies, and community members to plan and implement projects to meet the community's needs and in support of a transportation system that is fair, safe, and accessible for everyone, regardless of where they live or how they get around. MPOs engage with the public's concerns and make decisions that benefit the entire community.

The HRTPO, which is staffed and supported by the HRPDC, is designated under federal law as the Metropolitan Planning Organization (MPO) for the 15 localities within the Hampton Roads region, which are considered part of the urbanized Metropolitan Planning Area (MPA). The 15 localities included in the HRTPO are as follows:

- City of Chesapeake
- City of Franklin
- Gloucester County
- City of Hampton
- Isle of Wight County
- James City County
- City of Newport News
- City of Norfolk
- City of Poquoson
- City of Portsmouth
- Southampton County
- City of Suffolk
- City of Virginia Beach
- City of Williamsburg
- York County

Please see Map 2 for a visual of the HRTPO member localities and Map 3 for a visual of the Hampton Roads MPA boundary.

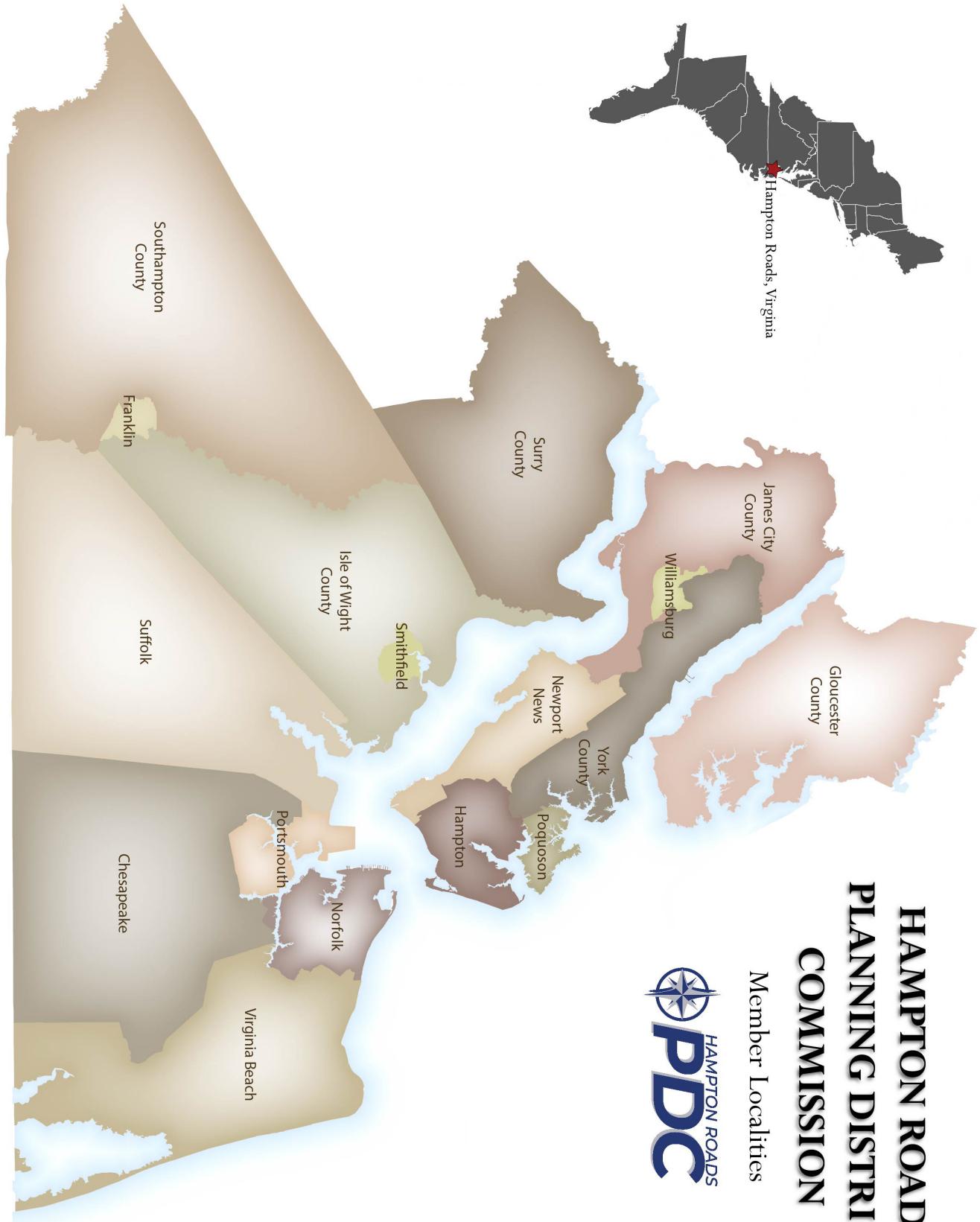
Additionally, representatives from the following groups are active participants in the operations of the HRTPO.

- Transportation District Commission of Hampton Roads (TDCHR)Williamsburg Area Transit Authority (WATA)
- Virginia Department of Transportation (VDOT)
- Virginia Department of Rail and Public Transportation (DRPT)
- Virginia Port Authority (VPA)
- Virginia Department of Aviation (VDOA)
- Federal Highway Administration (FHWA)
- Federal Transit Administration (FTA)
- Federal Aviation Administration (FAA)
- Peninsula Airport Commission
- Norfolk Airport Authority

The HRTPO Board continually assesses its members to account for emerging trends or shifts in regional transportation and may add other stakeholders as deemed appropriate.

HAMPTON ROADS PLANNING DISTRICT COMMISSION

Member Localities

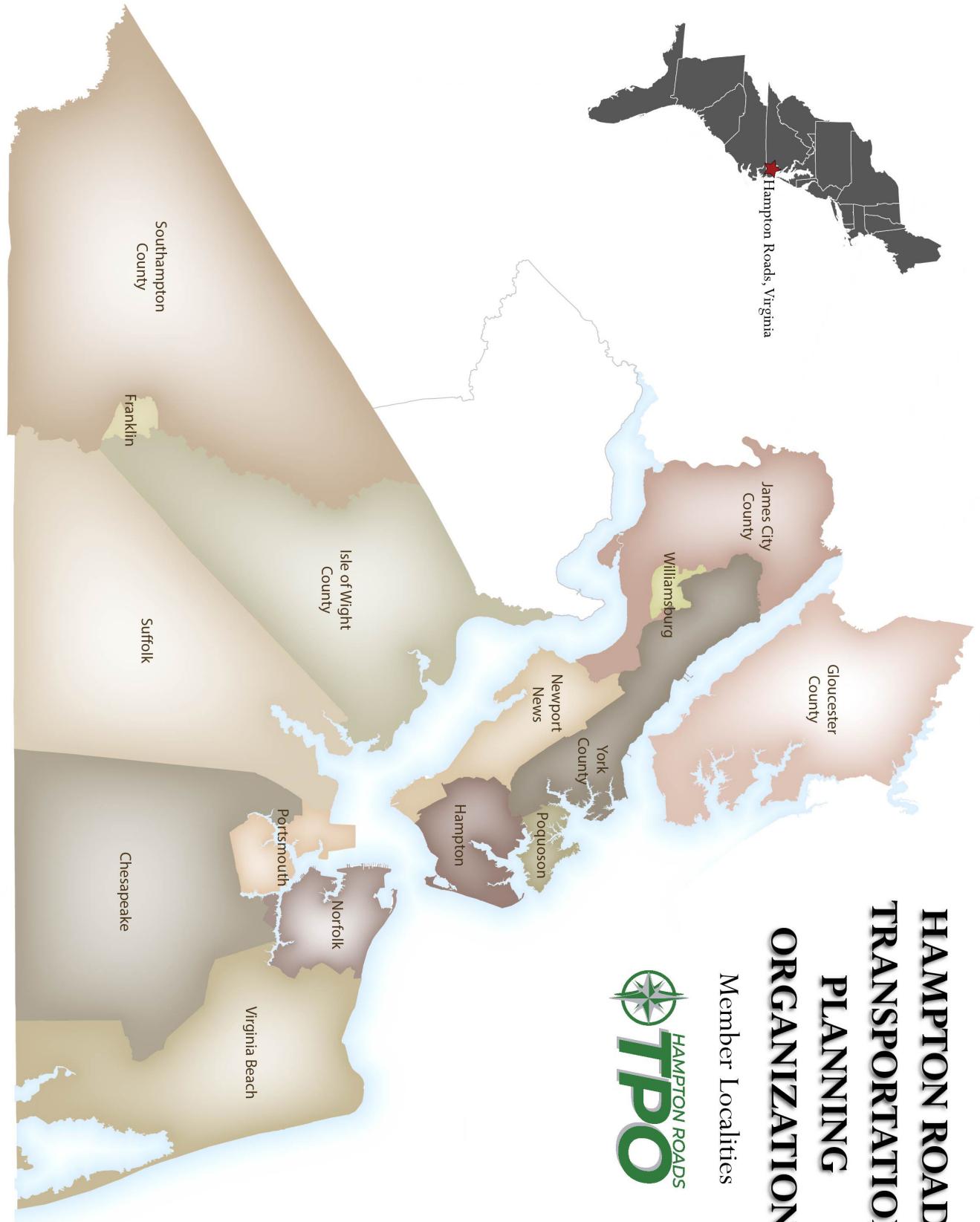


Map 1: The member localities of the Hampton Roads Planning District Commission (HRPDC).

HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION



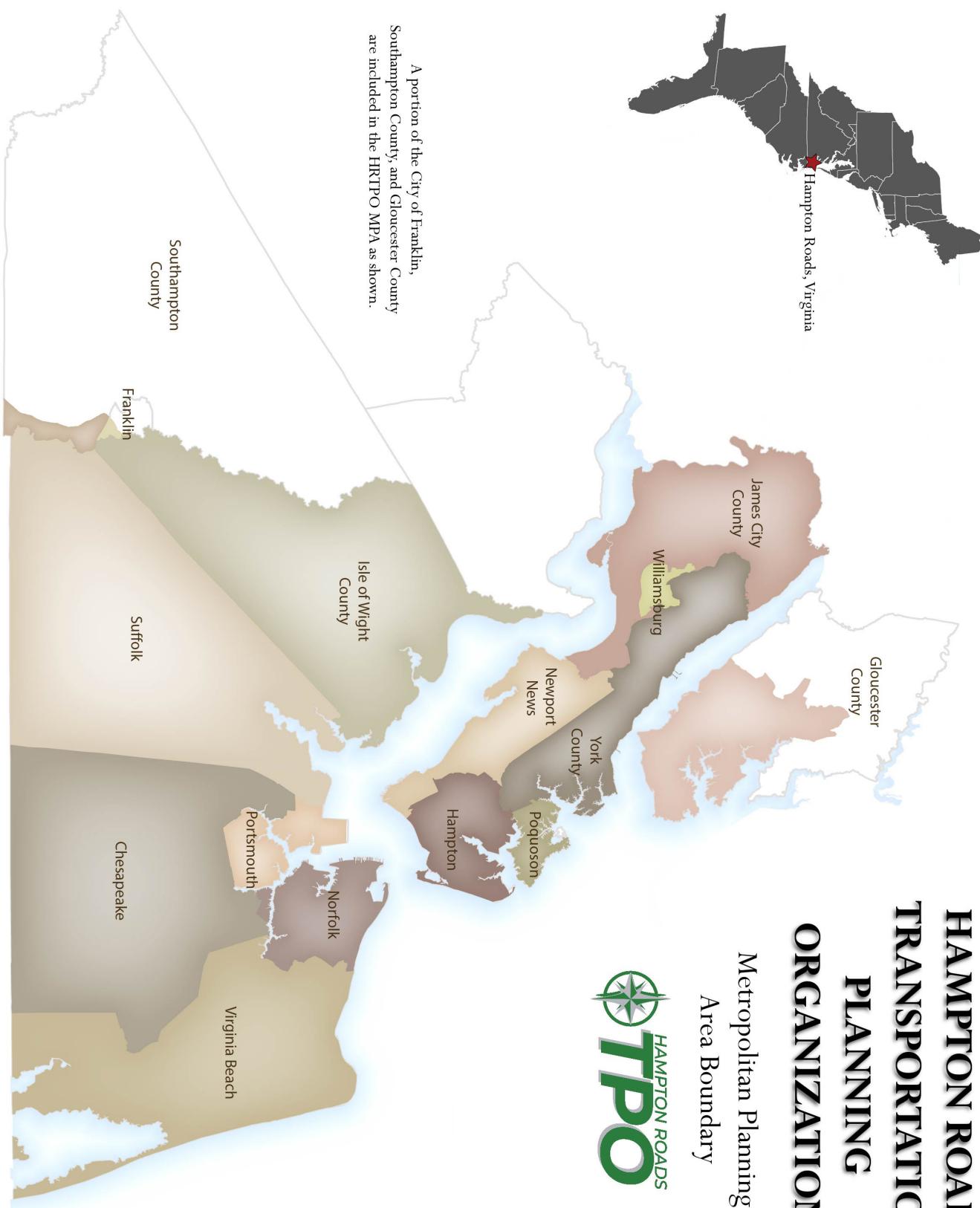
Member Localities



Map 2: The member localities of the Hampton Roads Transportation Planning Organization (HRTPO).

HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION

Metropolitan Planning
Area Boundary



Map 3: Metropolitan Planning Area (MPA) for the Hampton Roads Region.

The Relationship Between the HRPDC and HRTPO

The **HRPDC** promotes regional cooperation and collaboration between government, private sector, and community organizations to improve the quality of life for residents in the Hampton Roads region. HRPDC provides staff support to the HRTPO and assumes the administrative responsibility for assuring Title VI compliance for all federally funded programs administered by the agency.

The **HRTPO** coordinates transportation plans, programs, and policies as the MPO for the Hampton Roads region, establishing a setting for effective regional transportation decision-making, identifying and evaluating transportation alternatives, identifying and monitoring performance measure targets, and involving the public in the transportation planning process. The HRTPO is supported through a Memorandum of Understanding for staff support services by the HRPDC.

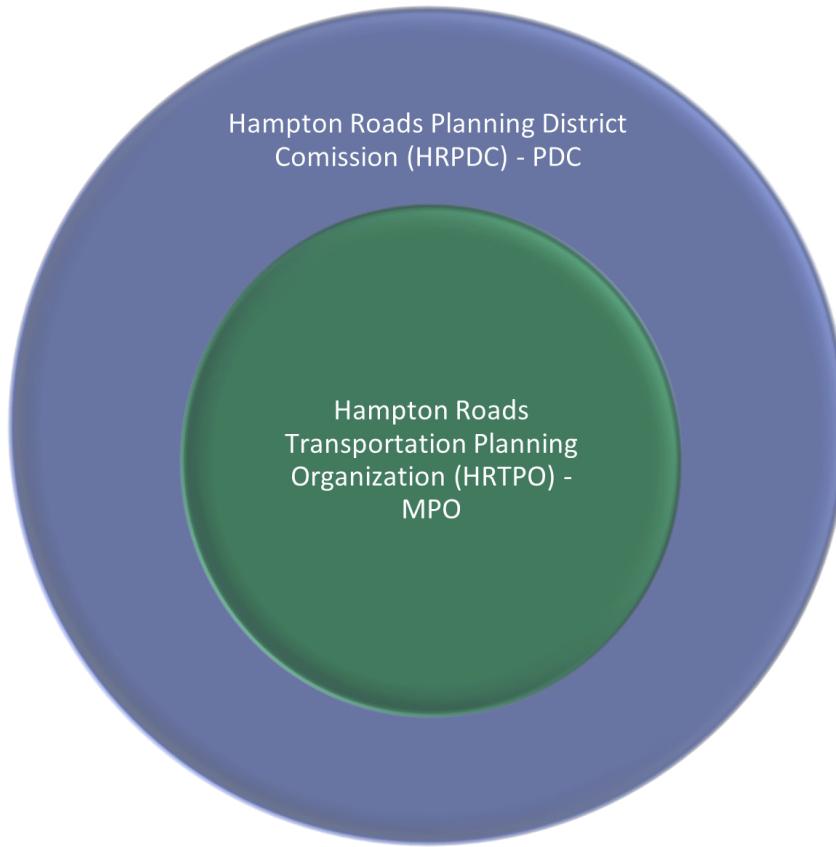


Figure 1: The structural relationship between the Hampton Roads Planning District Commission (HRPDC) and the Hampton Roads Transportation Planning Organization (HRTPO).

Organizational Structure

The HRPDC and HRTPO are overseen by:

The HRPDC and HRTPO Boards comprise elected officials from each member jurisdiction and representatives from associated technical stakeholders.

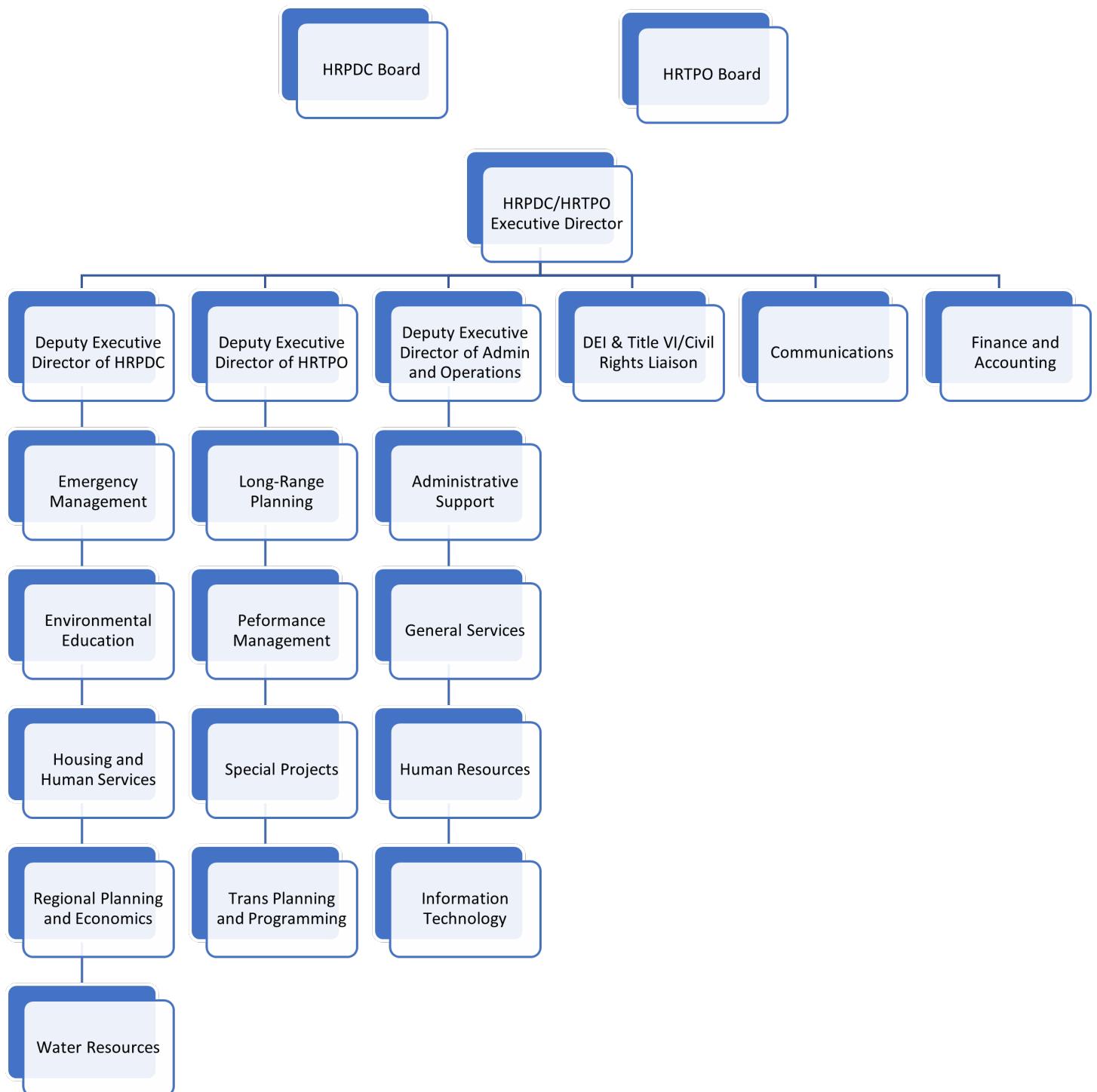
The Transportation Technical Advisory Committee (TTAC) comprises technically qualified representatives of member localities and agencies responsible for planning, maintaining, controlling, developing, and improving the transportation system within the Hampton Roads region.

The Freight Transportation Advisory Committee (FTAC) comprises largely from private industry, and the Chair of the FTAC serves as a non-voting member of the HRTPO Board. HRTPO staff primarily handles the administration of FTAC, and staff from the Virginia Port Authority works in partnership with the HRTPO to advise and support the administration of the Committee.

The Community Advisory Committee (CAC) comprises community representatives of HRPDC/HRTPO jurisdictions focusing on public engagement in regional planning processes.

The HRPDC provides staff support to the HRTPO to develop transportation plans and programs. HRPDC's Title VI Liaison also oversees the administration of the Title VI program for the HRTPO

Organizational Chart



Departments and Areas of Focus

The following is an overview of some departments within the HRPDC and HRTPO that relate primarily to the organization's Title VI and Environmental Justice efforts. A complete list of departments, programs, and focus areas can be found in the HRPDC Work Program and the HRTPO Unified Planning Work Program (UPWP), available online and in person at the Regional Building.

Long-Range Transportation Planning (LRTP)

One core function of the HRTPO is to prepare and maintain a fiscally constrained Long-Range Transportation Plan (LRTP), which serves as the region's transportation blueprint. LRTPs have a planning horizon of at least twenty years and are updated regularly (every five years in Hampton Roads) to reflect changing conditions and priorities such as growth forecasts, anticipated travel demand, advancements in transportation technology, and potential impacts to/from the environment. HRTPO has intentionally incorporated environmental justice concerns, expanded public involvement opportunities, and recommended projects that would not burden or harm underserved and vulnerable communities disproportionately.

Transportation Improvement Program (TIP)

The HRTPO Fiscal Year 2021–2024 Transportation Improvement Program (TIP) is a four-year program for the implementation of surface transportation projects within the Hampton Roads MPA. The TIP contains federally funded projects and/or regionally significant projects that require an action by FHWA or the FTA. Before any federally-funded and/or regionally significant surface transportation project can be built in the Hampton Roads MPA, it must be included in the current TIP that has been approved by the HRTPO.

The projects in the TIP are either drawn directly from the fiscally constrained Hampton Roads Long-Range Transportation Plan (LRTP) or deemed consistent with the LRTP for smaller scoped projects that need not be individually listed in the LRTP. In compliance with Title VI, the TIP incorporates the completed analysis of the potential benefits and impact distributions of regionally significant transportation investments included in the Long-Range Transportation Plan. Please refer to the LRTP section of this document for more detail.

In the UPWP, the application of transportation equity in the planning process helps to ensure transportation decisions deliver equitable benefits to a variety of users and that any associated burdens are avoided, minimized, or mitigated so as not to disproportionately impact disadvantaged populations.

Housing and Human Services

The HRPDC collaborates with local government agencies and non-profit organizations to coordinate local initiatives on housing and human services issues to develop effective and efficient solutions to our region's housing and human service needs. HRPDC is involved in various housing and human service activities aimed at improving the quality of life of the Hampton Roads region's residents, such as affordable housing, services, and programs for people with disabilities and seniors.

Additionally, the Housing and Human Services department assists some localities in administering first-time homebuyer funds. The department has focused on addressing historical gaps in wealth inequities that have long existed for minorities and marginalized communities and structured programming and communications to serve those populations more effectively.

Emergency Management

The HRPDC Emergency Management Department is a resource to foster and support local and regional strategies that will complement existing emergency management programs in cities and counties throughout Hampton Roads. The department's goal is to help build partnerships that encourage regional cooperation.

The Emergency Management Department has made an intentional effort to evaluate emergency preparedness procedures for equitable distribution of resources and consideration of needs. In 2005, in an ongoing effort to be more inclusive in emergency preparedness planning, the Emergency DEI Subcommittee was created.

The Emergency DEI Subcommittee's mission is to promote the consideration of vulnerable populations and the incorporation of diversity, equity, and inclusion principles into emergency preparedness and mitigation efforts. The objectives of the Emergency Diversity, Equity, and Inclusion (DEI) Planning Subcommittee include, but are not limited to:

- Enhance the preparedness of vulnerable populations within Hampton Roads
- Improve coordination and communications between government and non-government organizations (NGOs) in the pursuit of enhancing preparedness for vulnerable populations
- Inform and assist emergency preparedness stakeholders in meeting applicable regulations related to vulnerable populations
- Strengthen partnerships across jurisdictions and with the state and federal government on matters of diversity, equity, and inclusion in emergency planning.
- Increase the awareness of key obstacles faced by the vulnerable populations of Hampton Roads that are often exacerbated during emergencies and disasters
- Integrate diversity, equity and inclusion principles into all policies and procedures
- Identify inherent disparities within the region and prioritize the reversal of inequitable processes that disproportionately affect at-risk populations

Congestion Management, Safety, Freight and Operations

The Performance Management Department includes a number of HRTPO planning areas including the Congestion Management Process (CMP), federal performance measures and targets, roadway safety, freight planning, operations, military transportation needs, resiliency, and special studies. The Performance Management Department is also responsible for analyzing and providing transportation data for other HRTPO departments and for other efforts including the Project Prioritization Process used for the regional LRTP.

The Regional Safety Study and Regional Rail Crossing Studies that are currently being completed by the Performance Management department include various equity measures. These include determining USDOT Disadvantaged Communities and EJ Indicators for each of the 1,000+ intersections and 600+ rail crossings located in Hampton Roads.

In addition, staff is conducting an in-depth analysis using Streetlight Data for high crash intersections in each locality and prioritized rail crossings throughout the region. This analysis includes a number of equity-related measures specific to the users of these facilities.

HRPDC Work Program and HRTPO UPWP

A complete listing of HRPDC and HRTPO projects and programs can be found in the respective agency work programs. The work programs detail the planning tasks and studies to be conducted, all federally funded studies, state/local planning activities performed with federal funds, funding sources identified for each project, a schedule of activities, and who the responsible party is for each task/study.

Some of the programs listed in the [HRPDC Work Program](#) and the [HRTPO UPWP](#) that are not listed here in detail, but place an intentional emphasis on incorporating equity frameworks include the following:

- Regional Climate Action Plan
- Chesapeake Bay Program
- Regional Fiber and Broadband
- Regional Legislative Affairs
- Offshore Wind
- Roadway Flooding Sensors

Compliance Review for Program Areas

The HRPDC/HRTPO Title VI Liaison will conduct annual reviews of HRPDC/HRTPO departments, programs, and services as part of the organizational Title VI Goals and Accomplishments report. This review process ensures that all aspects of the organizations comply with the appropriate governing civil rights and nondiscriminatory statutes. Departmental reviews allow the organization to focus on improvement opportunities and reinforce areas of success.

If irregularities occur at departmental levels, the HRPDC/HRTPO will take corrective action to resolve the identified Title VI issues. The HRPDC/HRTPO Executive Director and Title VI Coordinator will collaborate with departmental leadership in correcting deficiencies found during annual reviews. They will provide departments and staff with supportive technical assistance and guidance.

Title VI and Regional Planning

Title VI is usually referred to in the context of federal nondiscrimination laws, and is one of eleven titles included in the Civil Rights Act of 1964. The following is a list of all the Civil Rights Act titles:

I. Voting Rights	VII. Equal Employment Opportunity
II. Public Accommodation	VIII. Registration and Voting Statistics
III. Desegregation of Public Facilities	IX. Intervention and Procedure after Removal in Civil Rights Cases
IV. Desegregation of Public Education	X. Establishment of Community Relations Service
V. Commission on Civil Rights	
VI. Nondiscrimination in Federally Assisted Programs and Activities	XI. Miscellaneous

Title VI declares it to be the policy of the United States that discrimination on the ground of race, color, or national origin shall not occur in connection with programs and activities receiving federal financial assistance and authorizes and directs the appropriate federal departments and agencies to take action to carry out this policy. Any organization that receives Federal funds is bound to comply with Title VI.

Since the Civil Rights Act of 1964, other nondiscrimination laws have been enacted to expand the range and scope of Title VI coverage and applicability:

- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal and federal-aid programs and projects.
- **The Federal Aid Highway Act of 1973** states that no person shall, on the grounds of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.
- **Section 504 of the Rehabilitation Act of 1973** states that no qualified disabled person shall, solely because of their disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance. This Act protects qualified individuals from discrimination based on their disability.
- **The Age Discrimination Act of 1975** states that no person shall, based on age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This act prohibits age discrimination in Federally Assisted Programs.
- **The Civil Rights Restoration Act of 1987**, P.L.100-209, amends Title VI of the 1964 Civil Rights Act to clarify that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.
- **The American Disabilities Act (ADA) of 1990** prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.
- **23 CFR Part 200 – Federal Highway Administration regulations:** Title VI Program and Related Statutes – Implementation and Review Procedures.
- **49 CFR Part 21** – Nondiscrimination in Federally-Assisted Programs.
- **23 CFR Part 450** – Federal Highway Administration planning regulations.
- **23 CFR Part 771** – Federal Highway Administration regulations, Environmental Impact Procedures.

In addition to the laws listed above, additional executive orders must be taken into account when ensuring compliance with federal nondiscrimination laws, directives, and mandates:

- **Executive Order 12898 – Environmental Justice (February 11, 1994)**, a presidential mandate to address equity and fairness toward low-income and minority persons/populations. Executive Order 12898 organized and explained the federal government's commitment to promoting Environmental Justice. Each federal agency was directed to review its procedures and make environmental justice part of its mission.
- **U.S. DOT Order 5610.2 (April 15, 1997)** expanded upon Executive Order 12898 requirements and described incorporating Environmental Justice principles into DOT programs, policies, and activities. FHWA Order 6640.23 (December 2, 1998) – FHWA Actions to Address Environmental Justice in Minority and Low-Income Populations.
- **DOT Order 5610.2 on Environmental Justice** summarized and expanded upon the requirements of Executive Order 12898 to include all policies, programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or other U.S. DOT components.
- **Executive Order 13166 – Limited English Proficiency (August 11, 2000)**, a presidential directive to federal agencies to ensure people with limited English proficiency have meaningful access to services.
[The HRPDC/HRTPO LEP Plan can be found on page 75]
- **Executive Order 13166** ensures federal agencies and their recipients improve access for persons with Limited English Proficiency to federally-conducted and federally assisted programs and activities.
- **The National Environmental Policy Act (NEPA) 1969** addresses environmental justice social and economic impacts. NEPA stresses the importance of providing for "all Americans, safe, healthful, productive and aesthetically pleasing surroundings" and requires a "systematic interdisciplinary approach" to aid in considering environmental and community factors in decision-making.
- **FHWA/FTA Memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning** - This memorandum provides clarification for field officers on ensuring that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally as necessary during the planning stages as it is during the project development stages.
- **FHWA Order 6640.23A (June 14, 2012)** - Environmental justice at FHWA means identifying and addressing disproportionately high and adverse environmental or human health effects of the agency's programs, policies, and activities on minority populations and low-income populations to achieve a more equitable distribution of benefits and burdens from the agency's activities.
- **FTA Circular 4703.1 (August 15, 2012)** - This guidance provides recommendations to State Departments of Transportation, Metropolitan Planning Organizations, public transportation providers, and other recipients of FTA funds on how to engage EJ populations in the public transportation decision-making process fully; how to determine whether EJ populations would be subjected to disproportionately high and adverse human health or environmental effects as a result of a transportation plan, project, or activity; and how to avoid, minimize, or mitigate these effects.
- **Executive Order 13985 – Advancing Racial Equity and Support for Underserved Communities Through the Federal Government**, is the first executive order signed by U.S. President Joe Biden on January 20, 2021. It directs the federal government to revise agency policies to account for racial inequities in their implementation.
- **Executive Order 14008 – Tackling the Climate Crisis at Home and Abroad**, introduced Justice40, which mandates that at least 40% of the benefits of certain federal programs must flow to disadvantaged communities.

Title VI Policy Statement of Commitment

The HRPDC and HRTPO are committed to compliance with Title VI of the Civil Rights Act of 1964 and related federal and state laws and regulations. The HRPDC/HRTPO prohibits discrimination in all its programs and activities based on race, color, national origin, income, gender, age, or disability.

The HRPDC/HRTPO is committed to ensuring that all individuals have access to and benefit from its regional planning, programs, and services in a non-discriminatory manner. The HRPDC/HRTPO recognizes that historically, discriminatory practices such as redlining and other exclusionary policies have contributed to systemic racism and inequality in regional planning and programming. As such, the HRPDC/HRTPO is committed to addressing these past injustices and ensuring that our programs and services are equitable for all.

The HRPDC/HRTPO prohibits discrimination based on race, color, national origin, income, gender, age, or disability in all its programs and activities. We are committed to compliance with Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act, and other applicable federal and state laws and regulations related to civil rights.

Equity

The HRPDC/HRTPO is committed to proactively identifying and eliminating barriers to access and participation in our programs and services. We will work to ensure that all individuals, regardless of their race, color, national origin, income, gender, age, or disability, have an equal opportunity to access and benefit from our regional planning programs and services.

Public Engagement

The HRPDC/HRTPO recognizes that community input and engagement are critical to achieving equity and inclusion goals. We will work to engage underrepresented populations, including those who have been historically excluded or marginalized, in our planning and decision-making processes. The HRPDC/HRTPO will also ensure that our public involvement activities are accessible to all individuals, regardless of race, color, national origin, income, gender, age, or disability.

Accessibility

The HRPDC/HRTPO will monitor and evaluate our programs and services to ensure that they are accessible to all individuals, regardless of their race, color, national origin, income, gender, age, or disability. We will review and update our Title VI Plan as necessary to ensure compliance with all applicable federal and state laws and regulations related to civil rights.

Accountability

The HRPDC/HRTPO is committed to addressing complaints of discrimination that may arise from our programs and services. The HRPDC/HRTPO has established and publicized complaint procedures for individuals who believe they have been discriminated against based on race, color, national origin, income, gender, age, or disability. The HRPDC/HRTPO will investigate all complaints and take appropriate action to address any findings of discrimination.



Robert A. Crum, Executive Director
HRPDC and HRTPO

Facilitation of Title VI

Organizational Title VI Responsibilities

The following is a list of general Title VI responsibilities applicable to all the HRPDC/HRTPO program areas. The Title VI Coordinator is responsible for ensuring that these elements are appropriately implemented and maintained.

1. Data Collection - statistical data on race, ethnicity, Limited English Proficiency (LEP), and other population groups will be collected regularly.

The process will be reviewed regularly to ensure the sufficiency of the data in meeting the requirements of the Title VI program, conducting EJ analyses, and guiding public participation efforts.

2. Disseminate Information Related to the Title VI Program

Information on the Title VI program will be disseminated to staff, sub-recipients, beneficiaries, and the public.

3. Audit by the Virginia Department of Transportation (VDOT) and Federal Partners on Title VI Compliance

As required, the HRPDC and HRTPO will participate in Title VI and EJ audits conducted by the VDOT and federal planning partners.

4. Title VI Statement

This text will remain permanently on the HRPDC/HRTPO websites, as well as in publications and other public documents: *The HRPDC and HRTPO fully comply with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. The HRPDC and HRTPO will strive to provide reasonable accommodations and services for persons who require special assistance to participate in this public involvement opportunity. For more information on meeting accessibility or to obtain a Title VI Complaint Form, email TitleVI@hrpdcva.gov or call the Title VI Coordinator at (757) 420-8300.*

5. Complaints

Any individual may exercise their right to file a complaint or have a legal representative file a claim on their behalf if that person believes that they or any other program beneficiaries have been subjected to unequal treatment or discrimination on the grounds of race, color, national origin, sex, or disability in any program administered by the HRPDC, HRTPO, and its sub-recipients, consultants or contractors.

Title VI Coordinator Responsibilities

The HRPDC/HRTPO Executive Director is responsible for ensuring the implementation of the HRPDC/HRTPO's Title VI Plan. The Title VI Coordinator, under the supervision of the Executive Director, is generally responsible for coordinating the overall administration of the Title VI Plan and assurances and overseeing compliance with applicable nondiscrimination authorities in each regional planning and programming area. Other staff assist the Title VI Coordinator in conducting this work.

The HRPDC & HRTPO Title VI Coordinator

LeeQuan McLaurin

DEI & Title VI/Civil Rights Liaison

TitleVI@hrpdca.gov

www.hrpdcva.gov/titlevi

www.hrtpo.org/titlevi

(757) 420-8300 (voice)

(757) 390-2578 (TTY)

The general responsibilities of the designated Title VI Coordinator include:

- Identifying, investigating, and mitigating instances or patterns of discrimination when found to exist
- Processing discrimination complaints received by the HRPDC/HRTPO
- Meeting with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to the HRPDC/HRTPO Title VI Plan
- Periodically reviewing the HRPDC/HRTPO's Title VI Plan to assess whether administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance
- Working with staff involved with consultant contracts to ensure contracts are solicited in accordance with federal and state laws and regulations and that contracts awarded include appropriate language on non-discrimination requirements
- Working with staff to monitor consultants and investigate, resolve, and implement a remedial action plan in cases of Title VI deficiencies
- Assessing communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs, as appropriate
- Developing and maintaining a contact list of interpretation and translation service providers
- Maintaining and updating the Title VI Plan every four years and disseminating it to appropriate parties, including the HRPDC and HRTPO boards, committees, staff, and the general public through the HRPDC/HRTPO websites
- Coordinating with appropriate federal, state, and regional entities to periodically provide HRPDC/HRTPO employees with training opportunities regarding nondiscrimination and Title VI
- Reviewing important nondiscrimination-related issues as needed
- The Title VI Coordinator, with staff support, is responsible for ensuring that all elements of the Title VI Plan are appropriately implemented and maintained

If this information is needed in another language or if there are questions about the information contained within this document, please contact LeeQuan McLaurin, Title VI Coordinator, at TitleVI@hrpdca.gov or (757) 420-8300.

Title VI Training

The HPRDC/HRTPO provides staff support to several affiliate organizations and entities with a similar mission of planning for and carrying out the vision for Hampton Roads' continued growth and prosperity. That means when it comes to training staff on Title VI compliance, HRPDC/HRTPO ensures that:

- Staff are given Title VI training and development opportunities throughout their employment
- Wherever possible, HRPDC/HRTPO leverages the Virginia Department of Transportation (VDOT), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA) existing resources on Title VI
- Staff take advantage of any additional available Title VI training opportunities provided by VDOT, the FHWA, the FTA, as well as other planning agencies and organizations. Active participation in any available training opportunities is not just encouraged but required
- The Title VI Coordinator is accessible to staff for any questions or concerns related to Title VI training and development
- Every staff member has access to the HRPDC/HRTPO Title VI Plan for continued reference throughout their employment
- The HRPDC/HRTPO hosts at least one annual Title VI training event for staff, board members, and committees
- The HRPDC/HRTPO provides additional equity-focused training for staff, board members, and committees

Annual Review and Reporting Processes

The designated Title VI Coordinator employs the following process to review the HRPDC/HRTPO directives, policies, and practices:

- The Title VI Coordinator completes and submits an annual Title VI Goals and Accomplishments report to VDOT and FHWA.
- The Title VI Coordinator is included in the review process when the HRPDC/HRTPO directives are drafted and policies implemented. This allows the Title VI Coordinator to review for any possible Title VI issues ahead of implementation.
- The Title VI Coordinator advises staff working with the HRPDC/HRTPO's decision-making committees to ensure directives are in accordance with the federal and state nondiscrimination laws, rules, and regulations.
- The Title VI Coordinator works to review documents, materials, and public meeting transcripts, to ensure staff are aware of any potential Title VI issues.
- The Title VI Coordinator works cooperatively with the VDOT and FHWA Division Civil Rights staff to implement federal nondiscrimination directives.

Sub-Recipient Review and Processes

The HRPDC/HRTPO will conduct Title VI compliance reviews and monitoring of its sub-recipients of federal-aid highway or other federal funds, including consultants and contractors, to ensure adherence to Title VI requirements. As needed, the HRPDC/HRTPO will assess additional sub-recipient needs and act accordingly.

The HRPDC/HRTPO is responsible for selecting, negotiating, and administrating consultant contracts that may be required during regional planning work. The HRPDC/HRTPO operates under its internal contract procedures and all relevant federal and state laws. The HRPDC/HRTPO will periodically review operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language, provisions, and related requirements, as applicable.

The designated Title VI Coordinator is responsible for evaluating and monitoring compliance with nondiscrimination authorities in all aspects of the agency's consultant contracts process.

The Title VI Coordinator will:

- Ensure inclusion of specific Title VI nondiscrimination language in contracts and Requests for Proposals (RFPs).
- Review consultants for compliance:
 - Ensure that all consultants verify their compliance with nondiscrimination authorities, procedures, and requirements.
 - If a recipient or sub-recipients does not comply with nondiscrimination authorities, the Title VI Coordinator and relevant staff will work with the recipient or sub-recipient to resolve the deficiency status and write a remedial action if necessary.
 - Review outreach activities to ensure small, disadvantaged, minority, women, veterans, and people with disabilities businesses can compete for consulting contracts.

If irregularities occur at sub-recipient levels, the HRPDC/HRTPO will take corrective action to resolve the identified Title VI issues. The HRPDC/HRTPO will seek the cooperation of the consultant, contractor, or other sub-recipient in correcting deficiencies found during periodic reviews and will provide technical assistance and guidance, upon request, to support voluntary compliance by the sub-recipient.

If a sub-recipient fails or refuses to comply with requirements voluntarily, the HRPDC/HRTPO will submit copies of the case file and a recommendation that the sub-recipient be found in noncompliance to VDOT's Civil Rights Division.

A follow-up review will be conducted to ascertain if the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, the HRPDC/HRTPO and VDOT may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

Filing a Title VI Complaint

Any person who believes they—or a specific class of persons—were subject to discrimination based on race, color, national origin, age, disability, gender, language, or income status in the HRPDC/HRTPO programs and activities may file a Title VI complaint.

The HRPDC/HRTPO refers to the person who submitted the discrimination complaint as the complainant and to the person/agency the complaint is about as the respondent.

The complainant must file the discrimination complaint within 180 days after the date of the alleged act of discrimination.

- Where there has been a continued course of conduct, the 180-day timeframe begins after the date on which that conduct stopped, unless the filing is extended by the processing agency.
- In either case, the respondent or their designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for doing so.

Title VI Complaint Process

Anyone filing a complaint can do so in the following ways:

In Writing

1. On Paper:

- a. To download the Complaint form from the HRPDC/HRTPO website, please click on the following link(s) or copy and paste it into your web browser: [TitleVI](http://www.hrpdcva.gov>TitleVI or <a href=).
- b. To obtain a paper copy of the Complaint form, you can:
- c. Request a copy and postage-paid envelope by mail by emailing TitleVI@hrpdcva.gov
- d. Go to the HRPDC/HRTPO offices located at:

The Regional Building
723 Woodlake Drive
Chesapeake, VA 23320

2. Mail or deliver the completed form to:

Title VI Administrator
HRPDC/HRTPO
The Regional Building
723 Woodlake Drive
Chesapeake, VA 23320

Completed complaint forms can also be faxed to (757) 523-4881

Electronically

1. Through the HRPDC or HRTPO Online [Title VI Complaint Form](#).
2. The online form does not automatically file a formal complaint. Upon receipt of your completed form, the HRPDC/HRTPO's Title VI Coordinator will review your form and contact you to initiate the process.

Verbally

1. If a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator.
2. If necessary, the Title VI Coordinator will assist the person in putting the complaint in writing and submitting the written version to the person for correctness and signature. The complaint shall then be handled in the usual manner.

What happens when a Title VI Complaint is filed?

As part of our commitment to ensuring adherence to Title VI and other nondiscrimination authorities, the HRPDC/HRTPO follows a detailed Discrimination Complaint Procedure.

1. **WITHIN 10 DAYS**, the Title VI Coordinator shall:

- a. Acknowledge receipt of the allegation in writing
- b. Inform the complainant of action taken or proposed action to process the allegation.

- c. Advise the respondent of their rights under Title VI and related statutes, and
- d. Advise the complainant of other avenues of redress available.
- e. Route the complaint to the VDOT Hampton Roads Civil Rights Division, who will then route the complaint to FHWA Headquarters Office of Civil Rights (HCR) for processing and review using the methodology outlined in the [Virginia Department of Transportation Title VI Implementation Plan 2022](#). The complaint will include the parties' names, the complaint's basis, and the assigned investigator. FHWA is responsible for all decisions regarding whether a complaint should be accepted, dismissed, or referred to another agency.

2. WITHIN 60 DAYS

The Title VI Coordinator:

- a. Will conduct and complete an investigation of the allegation(s), and based on the information obtained,
- b. will render a recommendation for action in a report of findings to the Executive Director of the recipient of federal assistance.

Note: The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

3. WITHIN 90 DAYS

The Title VI Coordinator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter.

a. What happens if the complainant is dissatisfied with the decision?

The Title VI Coordinator will notify the complainant of their appeal rights with the state and federal transportation organizations. These appeal rights will be included with the correspondence on the final decision.

b. Who else is notified of the final decision?

The Title VI Coordinator will also provide the appropriate state transportation department with a copy of the determination and report findings.

c. What if it is a complaint against HRPDC/HRTPO?

A state or federal transportation department investigator will prepare a final investigative report and send it to the complainant, the respondent (HRPDC/HRTPO person listed), the HRPDC/HRTPO Title VI Coordinator, and the appropriate federal agency.

Note: If a complaint is routed to and managed by a state or federal agency, the processing timeframe may differ from the one described here.

d. What happens if the decision is escalated to a state or federal organization for further investigation?

The Title VI Coordinator will monitor the investigation and notify the complainant of updates per applicable regulations, policies, and procedures of state transportation departments. At any time during the investigation, the complainant can communicate with the Title VI coordinator.

For any questions or concerns about the Title VI Complaint process, please email TitleVI@hrpdcva.gov.

Title VI Complaint Form

Title VI Administrator –

Hampton Roads Planning District Commission (HRPDC)

Hampton Roads Transportation Planning Organization (HRTPO)

The Regional Building

723 Woodlake Drive

Chesapeake, VA 23320

Please provide the following information to process your complaint. Assistance is available upon request by contacting the Title VI Coordinator Monday – Friday from 8:00 a.m. to 4:30 p.m. by phone at (757) 420-8300 or by email at TitleVI@hrpdca.gov.

Section 1:			
Name:			
Address:			
Phone (Home):	Phone (Mobile):		
Phone (Work):	Email:		
Accessible Format Requirements? (check all that apply):			
Large Print	Audio	TDD	Other
Section 2:			
Are you filing this complaint on your behalf?	Yes*	No	
*If you answered "yes," go to section 3.			
If you answered "no," please supply the name and relationship of the person you are filing a complaint with.	Name:	Relationship:	
Please explain why you have filed for a third party:			
Please confirm that you have obtained the permission of the third party.		Yes	No
Section 3:			
I believe the discrimination I experienced was based on (check all that apply):			
Race	Disability	Color	National Origin
Age	Sex	Income Status	Limited English Proficiency
Date of Alleged Discrimination (MM/DD/YYYY):			

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

Section 4:

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

Section 5:

Have you filed this complaint with any other agency or court?	Yes	No
---	-----	----

If yes, check all that apply.

Federal Agency:	Federal Court:
State Agency:	State Court:
Local Agency:	Other:

Please provide a point of contact at the agency or court where the complaint was filed.

Agency/Court:

Address:

Contact Name:

Title:

Phone

Email:

Section 6:

Agency the complaint is against:

Contact Name:

Title:

Phone:

Email:

You may attach any written materials or other information relevant to your complaint.

Signature (required)

Date (required)



Access

The Title VI Complaint form can be accessed via the HRPDC or HRTPO website, email, mail, or in person.



Accommodation

Should individuals require accommodation support, including language translation services, during the complaint process, they can receive that support via our website, email, mail, or in person.



Website

www.hrpdcva.gov/titlevi

www.hrtpo.org/titlevi



Email

TitleVI@hrpdcva.gov



Phone

(757) 420-8300



Mail

C/O Title VI Administrator

The Regional Building

723 Woodlake Drive

Chesapeake, VA 23320



In Person

The Regional Building

723 Woodlake Drive

Chesapeake, VA 23320

Environmental Justice (EJ)

Understanding Environmental Justice

Environmental Justice (EJ) is *the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, or socioeconomic status, in developing, implementing, and enforcing environmental laws, policies, and regulations.* It ensures that no particular group bears a **disproportionate** burden of environmental harm or pollution and that everyone has equal access to environmental benefits, such as clean air and water and a healthy environment.

Environmental justice recognizes that communities of color, low-income communities, and other marginalized groups have historically been more likely to live near polluting industries, hazardous waste sites, and other sources of environmental harm, which can have severe health and environmental impacts. It also acknowledges that these communities have often been excluded from decision-making processes related to environmental policies and regulations, leaving them vulnerable to environmental injustice and discrimination.

Efforts to address environmental justice include increasing access to environmental information and decision-making, ensuring that environmental policies are enforced fairly and equitably, and reducing the environmental burden on communities that have historically borne the brunt of environmental harm. Promoting environmental justice can create a more equitable and sustainable future for all.

How is Environmental Justice Related to Title VI?

Title VI of the Civil Rights Act of 1964 and environmental justice are closely connected because Title VI provides an essential legal tool for addressing environmental discrimination and promoting environmental justice.

Title VI prohibits discrimination based on race, color, or national origin in any program or activity that receives federal funding. This includes many environmental programs and activities related to air and water quality, hazardous waste management, and transportation.

Title VI can also be used to ensure that environmental policies and programs are implemented fairly and equitably. For example, suppose a state environmental agency provides grants to municipalities for environmental programs. Title VI can be used to ensure that the grants are distributed fairly and do not discriminate against any particular group based on their race, color, or national origin.

In short, Title VI provides an important legal mechanism for addressing environmental discrimination and promoting environmental justice by ensuring that all communities have equal access to the benefits and protections of environmental laws and regulations and by holding agencies accountable for addressing the environmental justice concerns of marginalized communities.

Why is Environmental Justice important to Hampton Roads?

Environmental justice is essential to the Hampton Roads region of Virginia because it is home to many communities that have historically been disproportionately impacted by environmental harm and pollution. The area is home to many low-income communities, communities of color, and indigenous communities, many of which are located near sources of environmental pollution, such as industrial facilities, highways, and ports.

These communities often face various environmental health risks, including exposure to air and water pollution, toxic waste, and hazardous chemicals, leading to various health problems, including respiratory illnesses, cancer, and neurological disorders. They may also experience economic and social disinvestment, as environmental hazards discourage businesses and residents from investing in their communities.

Environmental justice is vital to Hampton Roads because it seeks to address these injustices and promote equity and fairness in the distribution of environmental risks and benefits. Promoting environmental justice ensures that all community members have access to clean air and water, a healthy environment, and an equal say in environmental decision-making.

Planning with Environmental Justice in Focus

On February 11, 1994, President William J. Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which directs federal agencies to develop strategies to help them identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. The Executive Order was also intended to provide minority and low-income communities access to public information and opportunities for public participation in matters relating to human health or the environment.

Adverse effects, as described in Executive Order 12898, are the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to:

- Bodily impairment, infirmity, illness, or death
- Air, noise, water pollution, and soil contamination
- Destruction or disruption of:
 - Manufactured or natural resources
 - Aesthetic values
 - Community cohesion or a community's economic vitality
 - Availability of public and private facilities and services
- Adverse employment effects
- Displacement of persons, businesses, farms, or non-profit organizations
- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in receiving benefits of the HRPDC/HRTPO programs, policies, or activities

Environmental Justice joins social and environmental movements by addressing the unequal environmental burden often borne by minority and low-income populations. The right to a safe, healthy, productive, and sustainable environment for all, where "environment" is considered in its totality to include the ecological (biological), physical (natural and built), social, political, aesthetic, and economic environments.

Environmental Justice is incorporated through appropriate phases of the regional planning process. Environmental Justice principles for the HRPDC/HRTPO have been developed, and are included as a section within the updated HRPDC/HRTPO Public Participation Plans. The HRPDC/HRTPO Environmental Justice framework include maps identifying underserved communities, an evaluation component to assess potentially impacted Environmental Justice Communities, and suggested outreach strategies tailored to each Environmental Justice Community.

Our Commitment to Environmental Justice

The HRPDC and the HRTPO are committed to continually incorporating policies and practices that center on Environmental Justice concerns. Recognizing historical disparities and ongoing challenges marginalized communities face, the HRPDC/HRTPO is dedicated to advancing Environmental Justice in Hampton Roads.

The HRPDC/HRTPO is committed to ensuring all communities have equal access to a clean and healthy environment, by actively engaging in ongoing efforts to involve these communities in planning, addressing their concerns, and meeting their needs.

With a focus on inclusivity and sustainability, the HRPDC/HRTPO is working to safeguard human health, preserve natural resources, and enhance the overall quality of life. Through collaboration with Hampton Roads locality leaders, community organizations, stakeholders, and agencies, we strive to identify and address environmental disparities, promote environmental equity, and advocate for equitable solutions for disadvantaged communities.

The HRPDC/HRTPO actively integrates Environmental Justice considerations into their decision-making, policies, and programs, and continuously seek opportunities to improve and expand their efforts to create a more just, inclusive, and resilient region. The HRPDC/HRTPO remains committed to advocating for equitable access to transportation, clean air and water, green spaces, and meaningful community engagement.

Together with their partners and the community, the HRPDC/HRTPO is dedicated to the ongoing pursuit of a future where environmental justice is fully realized for all residents of Hampton Roads.

As part of its commitment to Environmental Justice concerns in the Hampton Roads area, the HRPDC/HRTPO has done the following:

- The HRTPO has incorporated an Environmental Justice Framework in the development of the region's Long-Range Transportation Plans to evaluate potential impacts to vulnerable communities, including suggesting outreach strategies as projects move towards construction. Additionally, the HRTPO has incorporated equity considerations in the HRTPO Project Prioritization Tool to further evaluate equity impacts of transportation projects on vulnerable communities in the region.
- The HRPDC's Housing and Human Services department assists disadvantaged populations secure housing via their administration of their down payment and closing costs assistance programs, which support first time homebuyers.
- The HRPDC's Water Resources Department has dedicated significant resources toward regional coastal resiliency efforts, including designating a Chief Resilience Officer.
- The HRPDC's Water Resources Department collaborates with Hampton Roads localities on utility assistance programs, such as [H2O- Help to Others](#).
- The HRPDC/HRTPO has partnered with local organizations that share a focus on Environmental Justice.
- The HRPDC/HRTPO has actively committed to examining its impact on the local environment near the Regional Building.

Embedding Title VI and Environmental Justice into the Long-Range Transportation Plan (LRTP)

The Hampton Roads Long Range Transportation Plan (LRTP) has been recognized in the Federal Highway Administration's (FHWA) [2023 Model Long-Range Transportation Plans: A Guide for Performance-Based Planning](#) for the use of its Project Prioritization Tool to objectively evaluate the benefits, including equity considerations, of transportation projects. Additionally, the LRTP incorporates the following nine indicators when evaluating projects for Environmental Justice, social equity, and Title VI.

- Carless Households
- Disabled Populations
- Elderly Populations
- Female Head of Households
- Households Receiving SNAP (Food Stamps)
- Households Receiving Cash Public Assistance
- Limited English Proficiency Populations
- Low-Income Households
- Minority Populations

In the region's current 2045 LRTP, the HRTPO Project Prioritization Tool evaluated projects that replace aging infrastructure, increase roadway capacity, expand bridges, improve interchange/intersection design and flow, improve public transportation options, expand active transportation infrastructure, and enhance the movement of freight into and out of the region. With an estimated total candidate projects construction cost of approximately \$70 billion and only about \$13 billion identified to fund construction, the list of almost 300 candidate projects had to be evaluated and prioritized as part of the LRTP process.

In addition to using the Project Prioritization Tool, the HRTPO applies its Title VI/Environmental Justice framework to help evaluate the potential impacts of projects on vulnerable communities. The Hampton Roads 2045 Long-Range Transportation Plan: [Title VI/Environmental Justice Candidate Project Evaluation](#) report describes the methodology process in detail.

In terms of ensuring the 2045 LRTP included diverse modes, a consideration especially important for vulnerable communities, Guiding Principles for Fiscal Constraint were established to make the project selection process more effective and transparent. The Guiding Principles established funding splits between highway, transit, and active transportation (bike/pedestrian) projects.

Using these Guiding Principles, and scores produced by the HRTPO Project Prioritization Tool, high-ranking projects were selected for inclusion in the 2045 LRTP. The HRTPO staff created a [Project Information Guide](#) that provides a resource the public and stakeholders can use to learn about and monitor the implementation of the 2045 LRTP. The guide includes project information such as the description, summary, scoring, total project cost, and status.

As HRTPO staff develops the 2050 LRTP, they will continue to evaluate opportunities for improvement, especially in terms of enhancing equity and resiliency considerations in the planning process.

Environmental Education

The HRPDC has an Environmental Education Department embedded within the organization, which focuses on providing resources and information to localities, residents, and partner organizations. The Environmental Education Department supports [AskHRGreen](#), which focuses on providing help and support related to the following: Clean Communities

- Clean Water & Waterways
- Green Education
- Green Homes & Businesses
- Recycling & Reusing
- Yard & Landscapes

AskHRGreen has utilized various public involvement measures to communicate and inform the public and technical stakeholders about environmental concerns, including digital communications, social media, and community events. AskHRGreen continues to intentionally evaluate how it can better connect with and support underserved communities and areas where Environmental Justice is of concern.

Water Resources

The HRPDC has a Water Resources Department embedded within the organization. The Water Resource Department focuses on the following:

- Chesapeake Bay
- Coastal Resiliency
- Coastal Resources
- Drinking Water
- Stormwater
- Wastewater

In 2023, the HRPDC's Water Resources Department named a Chief Resilience Officer to focus on and provide support related to coastal resiliency to localities and partner organizations. The HRPDC's focus on coastal resiliency allows the organization the opportunity to address environmental justice concerns in region such as:

- **Disproportionate vulnerability:** Marginalized communities, including low-income neighborhoods, communities of color, and indigenous populations, often bear the brunt of environmental risks and hazards. In the case of coastal areas such as Hampton Roads, these communities face higher exposure to flooding, erosion, and other coastal hazards due to historical patterns of discriminatory land-use practices, limited access to resources, and social and economic disparities.
- **Social and economic impacts:** Coastal hazards often have severe social and economic consequences for marginalized communities. Disruptions caused by flooding, storm damage, or sea-level rise can lead to displacement, loss of homes and livelihoods, and exacerbation of existing socio-economic disparities. These impacts can be mitigated by prioritizing coastal resiliency, helping protect marginalized communities' well-being and economic stability.

Focusing on coastal resiliency in the context of marginalized communities in the Hampton Roads region is essential to address existing environmental injustices, reduce vulnerability, protect social and economic well-being, and empower these communities in the face of coastal hazards. By incorporating equity, engagement, and EJ principles, coastal resiliency initiatives can contribute to a more sustainable and inclusive future for all.

The Water Resources Department also collaborates with localities to administer their utility assistance program, [H2O Help to Others](#), which provides individuals and families with financial assistance to avoid disruption to vital resources such as water.

Partnering with Local Organizations

The HRPDC/HRTPO partners with local community organizations such as the [Elizabeth River Project](#) to advance conservation and education initiatives related to preserving the Elizabeth River, local waterways, and the Chesapeake Bay watershed. The waterways in Hampton Roads have long been integral to the region's livelihood. Hampton Roads waterways support fisheries, the maritime industry, the most extensive naval military installment on the East Coast, the Port of Virginia, the natural environments and ecosystems, and more.

Partnering with local organizations that also focus on Environmental Justice and conservation has propelled the HRPDC/HRTPO forward in their efforts to provide healthier and safer environments for all, especially those most vulnerable.

Evaluation of Organizational Environmental Impact

The HRPDC/HRTPO has committed to moving beyond education and has placed a continued focus on evaluating its environmental impact. The HRPDC/HRTPO recognizes that everyone in the Hampton Roads region can actively participate in protecting local environments. The HRPDC/HRTPO, which is located at the Regional Building in Chesapeake, Virginia, has done the following to address its impact on the local environment:

- Regular cleanup and maintenance of the stormwater reservoir behind the Regional Building.
- Eco-friendly improvements to the Regional Building, including upgrading to LED lighting, recycling, and shading windows to reduce sun exposure and energy consumption.
- Facility renovation planning includes a future permeable parking lot that utilizes native plant species for water retention and EV charging stations.

Americans with Disabilities Act (ADA)

Policy Statement

In accordance with the Americans with Disabilities Act (ADA), the HRPDC and HRTPO strive to provide reasonable accommodations and services for persons who require special assistance to participate in our public involvement efforts. Services for persons with hearing or speech loss are available through the Virginia Relay System at 7-1-1, 1-866-894-4116 (voice), or 1-866-246-9300 (TTY).

The HRPDC/HRTPO, in coordination with the Virginia Disabilities Services Council, will assist with the Virginia Relay System and services for persons with a physical, visual, or reading disability. The HRPDC/HRTPO may be contacted at (757) 420-8300 or TitleVI@hrpdcva.gov.

If you suffer from hearing or speech loss, contact the HRPDC/HRTPO at (757) 390-2578 (TTY).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

By the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the HRPDC/HRTPO will not discriminate against individuals with disabilities in its services, programs, or activities.

Employment

The HRPDC/HRTPO does not discriminate based on disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Accommodations

The HRPDC/HRTPO will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in HRPDC/HRTPO's programs, services, and activities, including qualified sign language interpreters, documents in braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.

Modifications to Policies and Procedures

HRPDC/HRTPO will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all its programs, services, and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in an agency program, service, or activity, should contact the HRPDC/HRTPO Title VI Liaison as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require HRPDC/HRTPO to take any action that would fundamentally alter the nature of its programs or services or impose any undue financial or administrative burden.

Complaints that an agency program, service, or activity is not accessible to persons with disabilities should be directed to the HRPDC/HRTPO Title VI Liaison at TitleVI@hrpdcva.gov.

The HRPDC/HRTPO will not place a surcharge on a particular individual with a disability or any group with disabilities to cover the cost of providing auxiliary aids/services or reasonable policy modifications.

Accessibility Policy

The HRPDC/HRTPO is committed to the principles of the Americans with Disabilities Act. It is the agency's policy to provide equal access for individuals with disabilities, which includes its website. The HRPDC/HRTPO websites are designed to comply with two different standards for website accessibility: compliance with the Priority Level One standards recommended by the World Wide Web Consortium (W3C) and compliance with the legal requirements of Section 508 of the U.S. Rehabilitation Act of 1973. The visually impaired can use popular screen readers on the HRPDC/HRTPO website.

Accessibility concerns, including those related to the website, can be communicated to the HRPDC/HRTPO Title VI Liaison at TitleVI@hrpdcva.gov.

Public Involvement

The HRPDC/HRTPO recognizes that meaningful regional planning requires practical public involvement activities, open and accessible information, and opportunities for engagement. While broad community input and representation have long been the goal, the HRPDC/HRTPO recognizes that marginalized peoples and groups have often been excluded from the planning process.

The HRPDC/HRTPO is committed to making planning processes open and accessible to all people in the Hampton Roads region. This section highlights the strategies and plans for public outreach, including accounting for Environmental Justice communities and ensuring meaningful access for Limited English Proficiency populations.

HRPDC and HRTPO Public Participation Plans (PPP)

The HRPDC and HRTPO strive to engage as many members of the public and affected stakeholders in the decision-making process as possible. Through constructive and engaged dialogue, decision-makers, planners, and the public can cooperatively develop a vision for our community and region. The HRPDC and HRTPO's Public Participation Plans (PPP) guide public involvement and serve as blueprints to gather public comments on the study process, recommendations, and potential projects.

The PPPs outline how the HRPDC and HRTPO utilize the following to engage the public in planning processes better.

- Digital engagement
- Social media
- Surveys
- Speaker's bureaus
- Community events
- Educational giveaway items
- Community partnerships
- Public Planning and Advisory Committees
- News Media
- Social Service Agencies

Community Advisory Committee (CAC)

The Community Advisory Committee (CAC) is comprised of up to 30 representatives from Hampton Roads' member jurisdictions and serves as an advisory committee to the HRPDC and HRTPO Board. The CAC ensures that the voices and perspectives of the public are received by the HRPDC and HRTPO and considered in our planning process.

Data Collection Process

Studying the changes in demographic data over time helps us measure the impacts of decisions. We can see where historical investments have been made and analyze if investments are equitable across communities.

The HRPDC/HRTPO analyzes compiled data:

- To ensure the level and quality of regional services are provided without regard to race, color, or national origin
- To avoid or minimize high and adverse human health and environmental effects on low-income and minority populations
- To ensure the full and fair participation of low-income and minority populations
- To prevent the denial of benefits to low-income and minority populations
- To ensure meaningful access to programs and activities by persons with limited English proficiency

Collected and analyzed data is the basis for all the HRPDC/HRTPO programs. The HRPDC/HRTPO aims to utilize data that can be used uniformly throughout programs and services.

Community Characteristics and Analysis

Regional planning for Hampton Roads can be difficult, but data helps tell the story.

Needs can be quantified through demographic information, tying data like population and employment to geography. It helps us identify underserved populations, such as minority populations, LEP populations, low-income communities, and those with limited resources.

The socioeconomic data for this Title VI Plan was collected through decennial census counts from the U.S. Census Bureau, ACS data, and similar sources related to the urban regional planning process.

Demographic Profile

The HRPDC and HRTPO plan for all residents of Hampton Roads. Which includes, but is not limited to, the following populations; minority, low-income populations, individuals with disabilities, zero car households, older adults, and Limited English Proficiency (LEP) populations. When determining Hampton Roads demographics datasets were accessed from the 2017-2021 ACS 5-Year Estimates from the U.S. Census Bureau.

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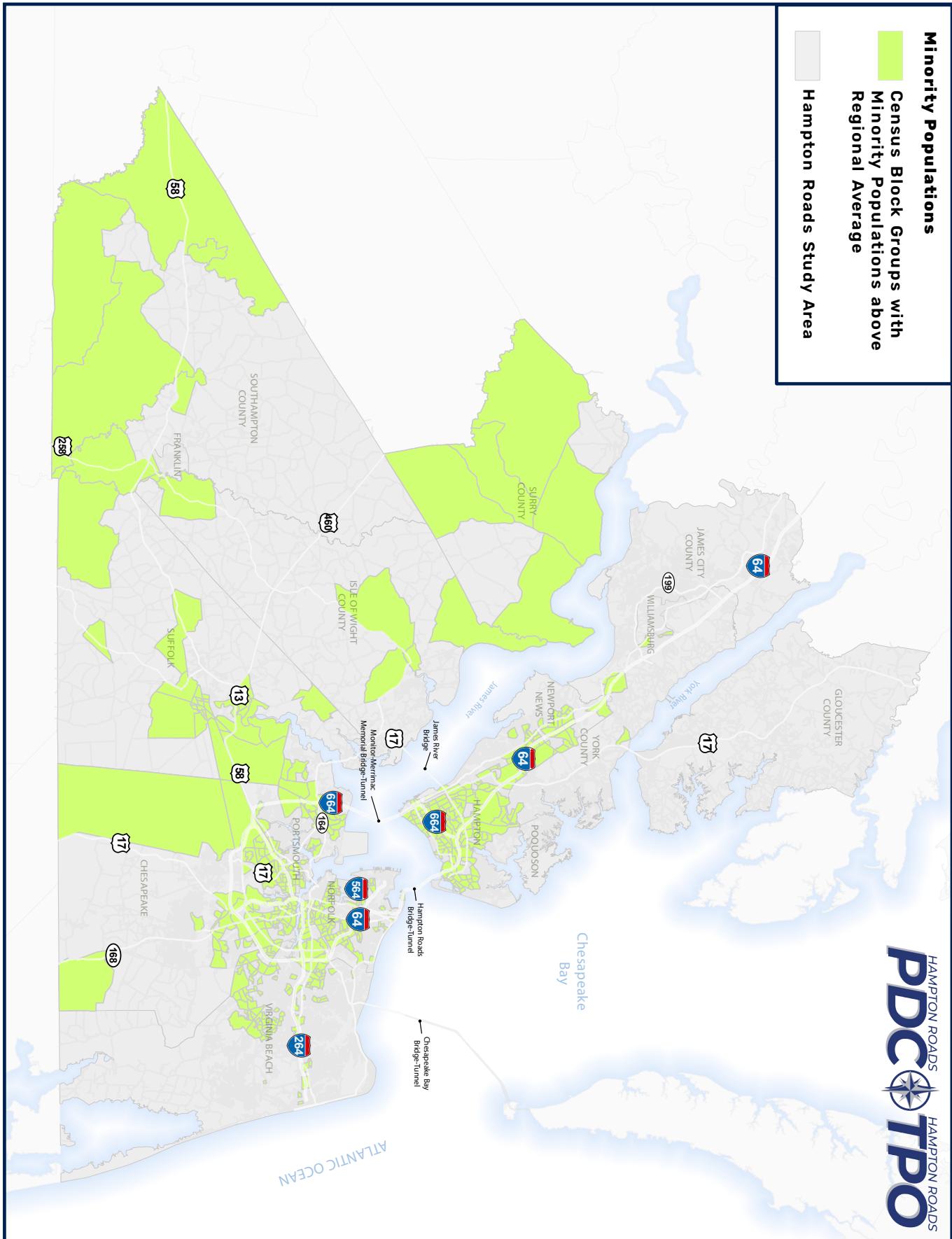
Minority Populations

The U.S. Census defines minority populations as persons identifying as Black or African American, American Indian, Alaska Native, Asian, Native Hawaiian or Other Pacific Islanders, Hispanic or Latino, Some other race alone, and Two or More races. In other words, Minority Population includes all people who have not identified as White (Non- Hispanic or Latino and Single Race Alone) in U.S. Census race and ethnicity questions.

The average percentage of the minority population within Hampton Roads is 37.9 percent based on 2017-2021 ACS, and the total minority population was 648,770.

Jurisdiction	Total Population	Minority Populations	Percentage
Chesapeake	247,172	87,825	36.5%
Franklin	8,249	4,650	58.5%
Gloucester County	38,586	3,986	10.2%
Hampton	136,748	73,882	52.4%
Isle of Wight County	38,301	9,503	23.4%
James City County	77,733	12,939	16.9%
Newport News	185,069	87,541	47.8%
Norfolk	238,556	114,483	49.4%
Poquoson	12,382	461	3.5%
Portsmouth	97,454	54,620	54.4%
Southampton County	18,028	5,893	33.6%
Suffolk	93,268	41,889	43.3%
Surry County	6,563	2,845	42.4%
Virginia Beach	457,658	130,635	26.9%
Williamsburg	15,299	3,608	20.3%
York County	69,635	14,010	19.1%
Region	1,740,701	648,770	37.9%

Table 1: Distribution of minority populations in Hampton Roads. Jurisdictions with a minority population above the regional average of 37.9% are bolded.



Map 4: Distribution of minority populations in Hampton Roads.

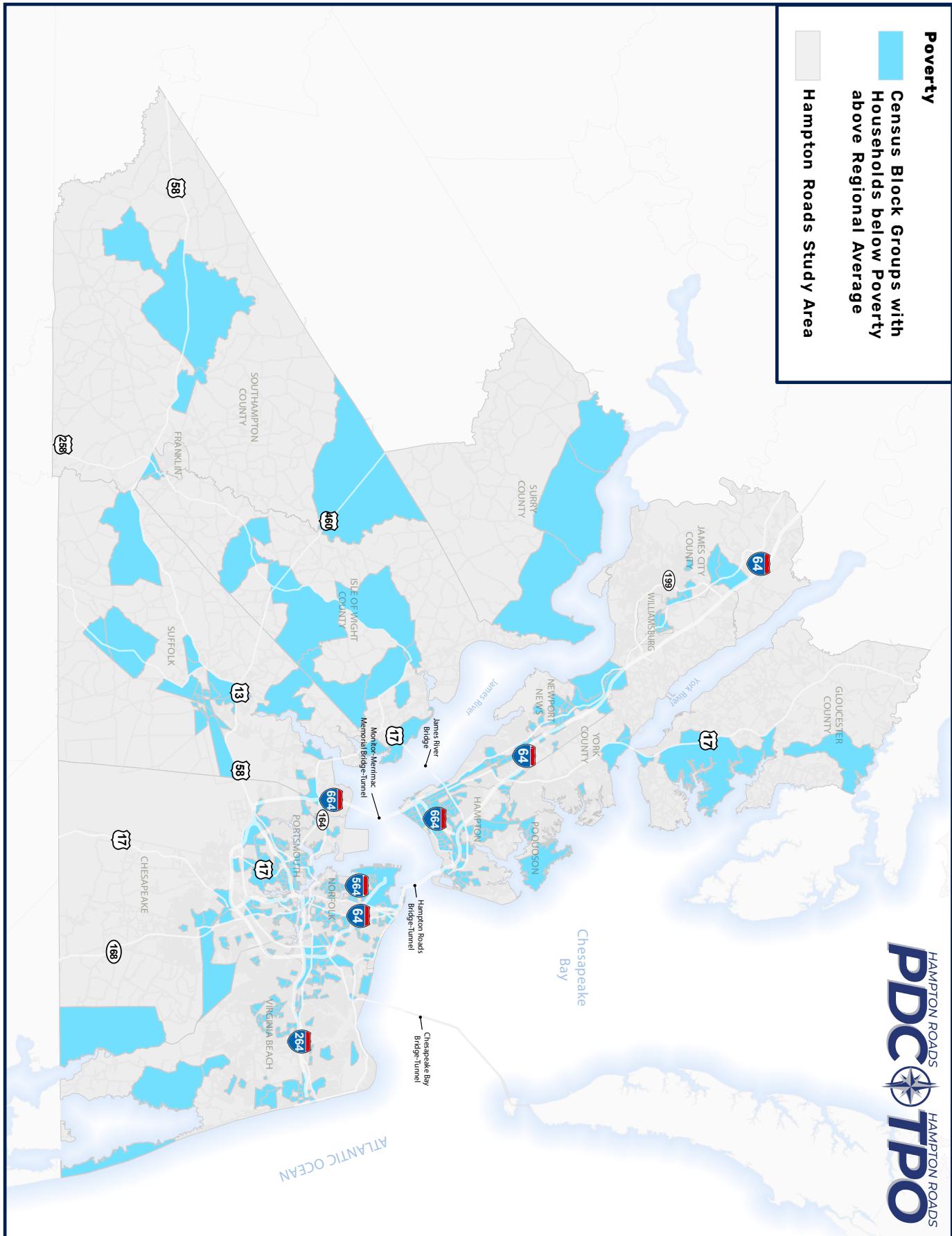
Low-Income Households

Low-income households are defined as falling below the federally established poverty level.

The average percentage of poverty households within Hampton Roads is 8.9 percent based on 2017-2021 ACS, and the low-income households was 441,146.

Jurisdiction	Total Households	Low-Income Households	Percentage
Chesapeake	89,413	65,991	7.2%
Franklin	3,474	2,202	13.6%
Gloucester County	14,882	10,199	5.1%
Hampton	57,116	34,519	10.0%
Isle of Wight County	15,063	10,873	6.9%
James City County	29,748	21,449	4.2%
Newport News	74,922	44,073	13.5%
Norfolk	92,877	52,096	12.9%
Poquoson	4,617	3,759	4.4%
Portsmouth	38,553	23,005	14.0%
Southampton County	6,661	4,674	5.2%
Suffolk	35,249	25,085	8.0%
Surry County	2,720	1,882	11.2%
Virginia Beach	177,046	120,270	5.8%
Williamsburg	4,778	2,438	7.6%
York County	25,389	18,631	4.1%
Region	672,508	441,146	8.9%

Table 2: Distribution of low-income households in Hampton Roads. Jurisdictions with a percentage of low-income households above the regional average of 8.9% are bolded.



Map 5: Distribution of low-income households in Hampton Roads.

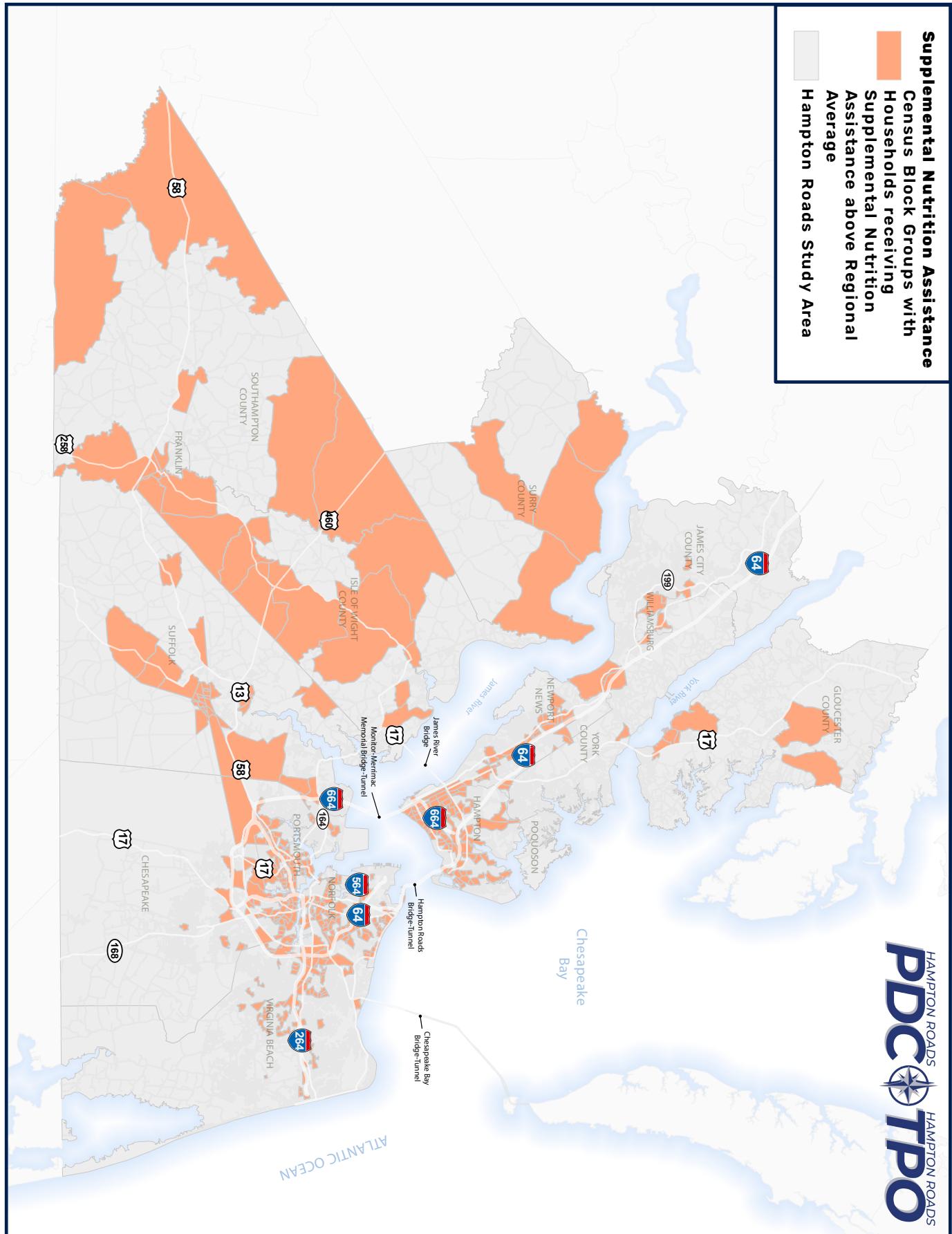
Households Receiving Food Stamps (SNAP)

The U.S. Census defines Food Stamp Households as households in which one or more of the current members received food stamps during the past 12 months. The Food Stamp program, or Supplemental Nutrition Assistance Program (SNAP), is the major national income support program to which all low-income and low-resource households, regardless of household characteristics, are eligible.

The average percentage of households receiving Food Stamps within Hampton Roads is 10.0 percent based on 2017-2021 ACS, and the total households receiving Food Stamps was 63,838.

Jurisdiction	Total Households	Households Receiving Food Stamps	Percentage
Chesapeake	89,413	5,888	7.7%
Franklin	3,474	675	22.7%
Gloucester County	14,882	1,076	7.5%
Hampton	57,116	7,442	12.7%
Isle of Wight County	15,063	1,264	8.2%
James City County	29,748	1,404	5.4%
Newport News	74,922	9,823	12.5%
Norfolk	92,877	14,086	15.4%
Poquoson	4,617	42	0.9%
Portsmouth	38,553	5,951	16.5%
Southampton County	6,661	793	12.0%
Suffolk	35,249	3,965	12.1%
Surry County	2,720	317	11.2%
Virginia Beach	177,046	10,130	5.5%
Williamsburg	4,778	357	7.4%
York County	25,389	625	2.9%
Region	672,508	63,838	10.0%

Table 3: Distribution of Food Stamp households in Hampton Roads. Jurisdictions with a percentage of Food Stamp households above the regional average of 10.0% are bolded.



Map 6: Distribution of Food Stamp (SNAP) households in Hampton Roads.

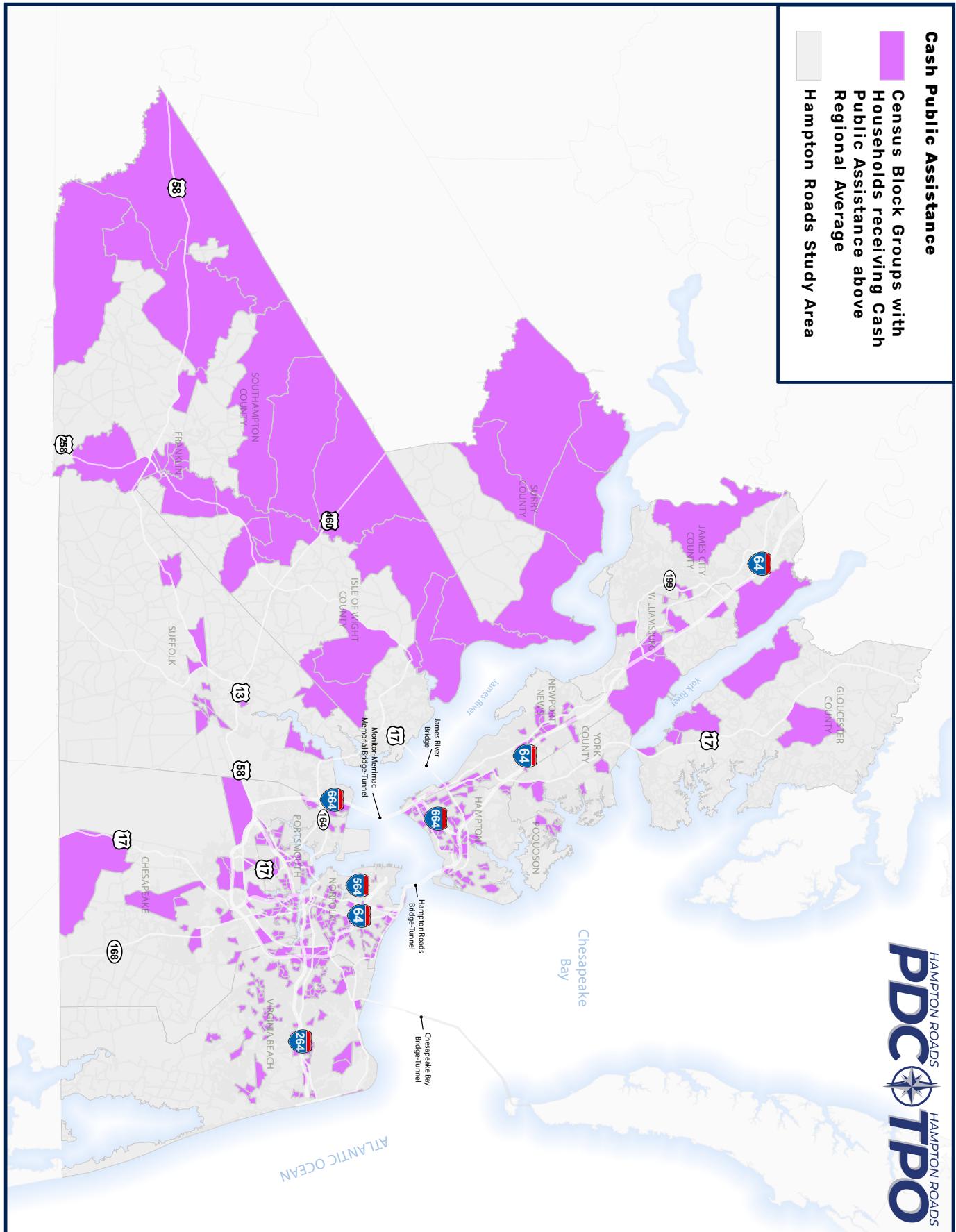
Households Receiving Cash Assistance

The U.S. Census defines a cash assistance household as a household receiving direct cash payments to beneficiaries of public welfare programs.

The average percentage of the cash assistance households within Hampton Roads is 2.2 percent based on 2017-2021 ACS, and the total households receiving cash assistance was 14,238

Jurisdiction	Total Households	Households Receiving Cash Public Assistance	Percentage
Chesapeake	89,413	1,518	2.0%
Franklin	3,474	442	12.9%
Gloucester County	14,882	219	1.7%
Hampton	57,116	1,080	2.1%
Isle of Wight County	15,063	245	1.7%
James City County	29,748	272	1.1%
Newport News	74,922	1,839	2.4%
Norfolk	92,877	3,112	3.2%
Poquoson	4,617	27	0.5%
Portsmouth	38,553	1,164	3.4%
Southampton County	6,661	522	8.2%
Suffolk	35,249	457	1.4%
Surry County	2,720	206	7.5%
Virginia Beach	177,046	2,811	1.6%
Williamsburg	4,778	38	0.7%
York County	25,389	286	1.2%
Region	672,508	14,238	2.2%

Table 4: Distribution of cash assistance households in Hampton Roads. Jurisdictions with a percentage of cash assistance households above the regional average of 2.2% are bolded.



Map 7: Distribution of cash assistance households in Hampton Roads.

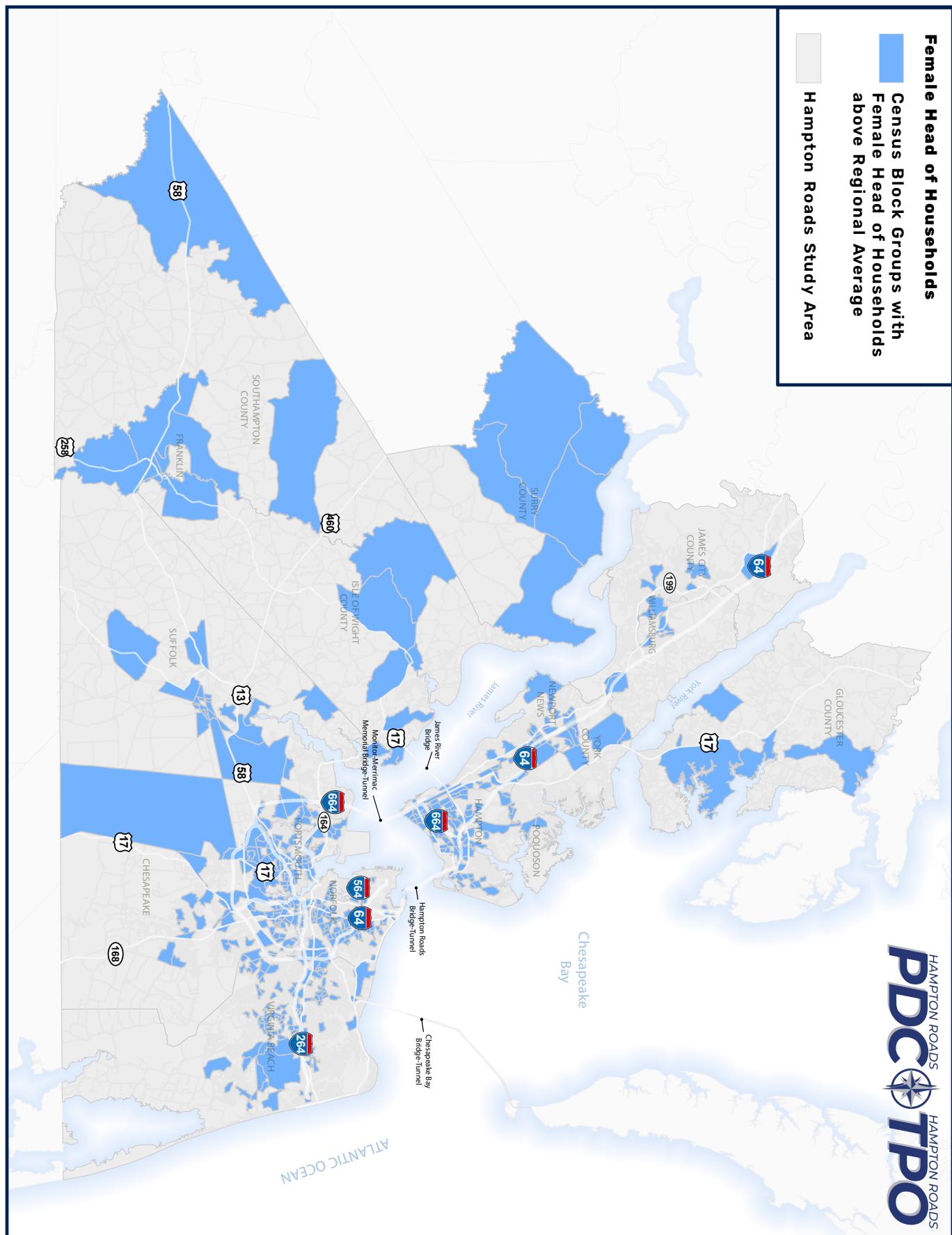
Female Head of House Households

The U.S. Census defines a female householder as a female maintaining a household with no husband of the householder present.

The average percentage of the female householders within Hampton Roads is 14.9 percent based on 2017-2021 ACS, and the total female householders was 97,906.

Jurisdiction	Total Households	Female Heads of Household	Percentage
Chesapeake	89,413	12,834	15.1%
Franklin	3,474	746	25.7%
Gloucester County	14,882	1,448	10.6%
Hampton	57,116	9,671	15.9%
Isle of Wight County	15,063	1,658	10.8%
James City County	29,748	2,646	9.9%
Newport News	74,922	13,172	17.4%
Norfolk	92,877	15,857	17.9%
Poquoson	4,617	322	8.4%
Portsmouth	38,553	7,678	20.8%
Southampton County	6,661	1,084	15.2%
Suffolk	35,249	4,934	13.5%
Surry County	2,720	480	17.5%
Virginia Beach	177,046	22,536	12.5%
Williamsburg	4,778	616	12.0%
York County	25,389	2,224	8.8%
Region	672,508	97,906	14.9%

Table 5: Distribution of female householders in Hampton Roads. Jurisdictions with a percentage of female householders above the regional average of 14.9% are bolded.



Map 8: Distribution of female householders in Hampton Roads.

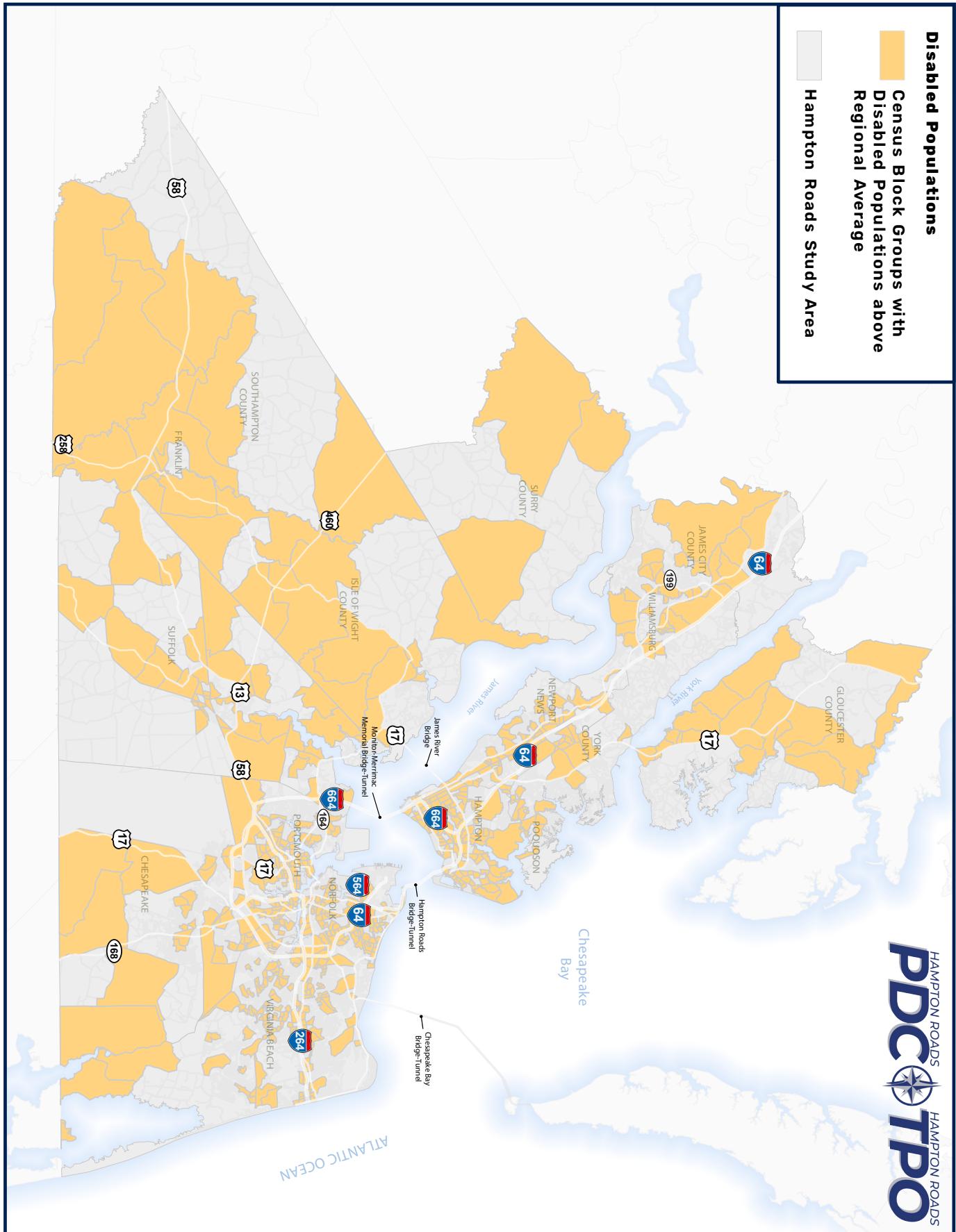
Individuals with Disabilities

The U.S. Census defines disability as a long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

The average percentage of the disabled population within Hampton Roads is 11.6 percent based on 2017-2021 ACS, and the total disabled population was 112,060.

Jurisdiction	Total Population	Disabled Populations	Percentage
Chesapeake	247,172	13,635	10.3%
Franklin	8,249	655	16.9%
Gloucester County	38,586	3,269	15.0%
Hampton	136,748	11,046	13.5%
Isle of Wight County	38,301	2,566	12.0%
James City County	77,733	4,299	10.5%
Newport News	185,069	14,860	14.6%
Norfolk	238,556	17,209	13.4%
Poquoson	12,382	654	9.1%
Portsmouth	97,454	7,254	13.9%
Southampton County	18,028	1,351	14.4%
Suffolk	93,268	5,428	10.9%
Surry County	6,563	497	7.9%
Virginia Beach	457,658	25,195	9.2%
Williamsburg	15,299	576	9.7%
York County	69,635	3,566	9.7%
Region	1,740,701	112,060	11.6%

Table 6: Distribution of populations with disabilities in Hampton Roads. Jurisdictions with a population of individuals with disabilities above the regional average of 11.6% are bolded.



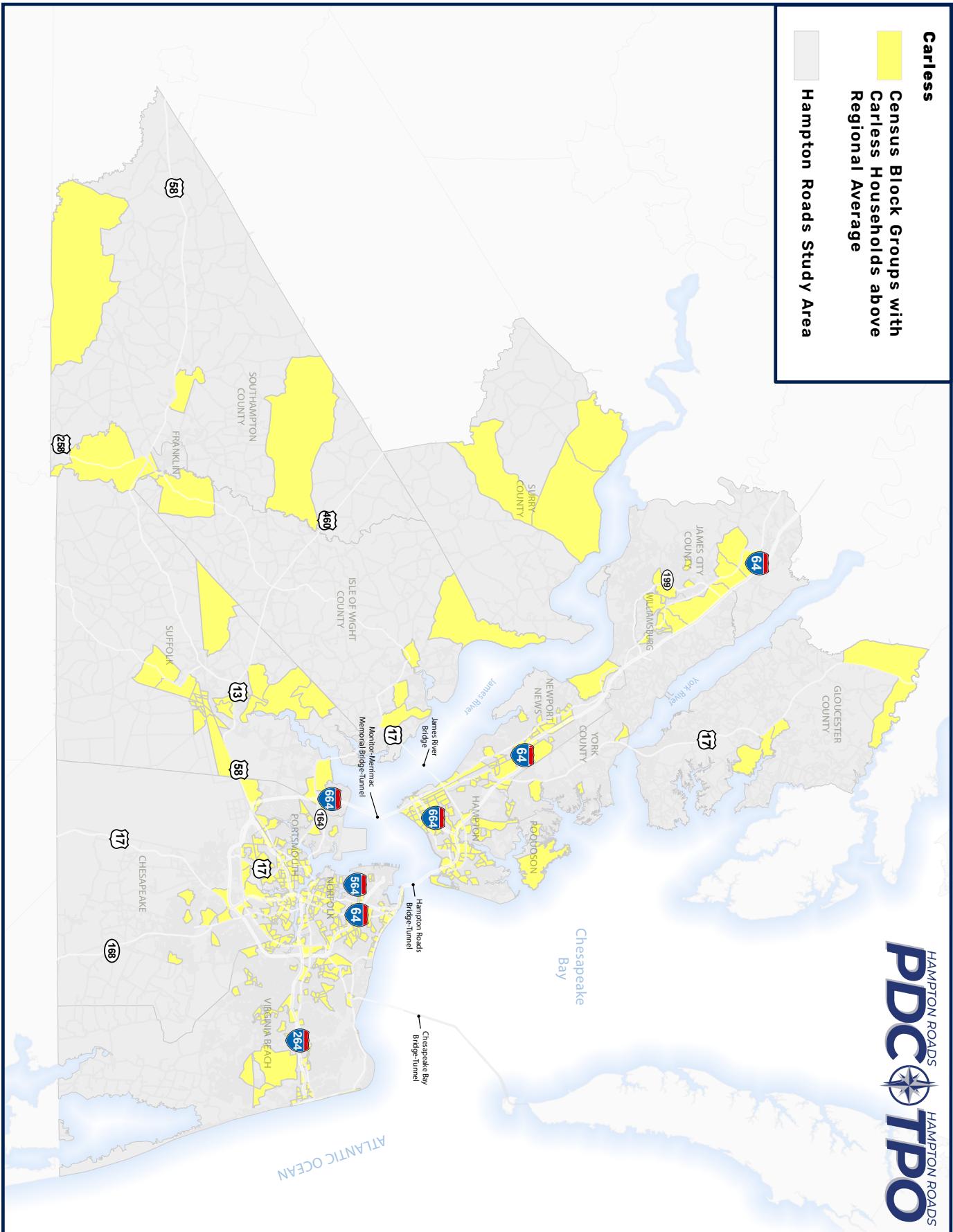
Map 9: Distribution of households reporting disabilities in Hampton Roads.

Zero-Car Households

Zero-Car Households are defined as occupied housing units with no vehicles available. The average percentage of Zero-Car households within Hampton Roads is 7.1 percent based on 2017-2021 ACS, and the total Zero-Car households was 45,827.

Jurisdiction	Total Households	Carless Households	Percentage
Chesapeake	89,413	3,877	4.7%
Franklin	3,474	396	13.7%
Gloucester County	14,882	428	3.7%
Hampton	57,116	4,639	7.2%
Isle of Wight County	15,063	622	3.5%
James City County	29,748	1,184	4.5%
Newport News	74,922	8,122	10.8%
Norfolk	92,877	10,943	12.5%
Poquoson	4,617	116	2.7%
Portsmouth	38,553	4,273	11.1%
Southampton County	6,661	372	6.2%
Suffolk	35,249	1,993	5.8%
Surry County	2,720	147	5.5%
Virginia Beach	177,046	7,631	4.3%
Williamsburg	4,778	282	5.3%
York County	25,389	802	3.3%
Region	672,508	45,827	7.1%

Table 7: Distribution of zero-car households in Hampton Roads. Jurisdictions that have an amount of zero-car households above the regional average of 7.1% are bolded.



Map 10: Distribution of zero-car households in Hampton Roads.

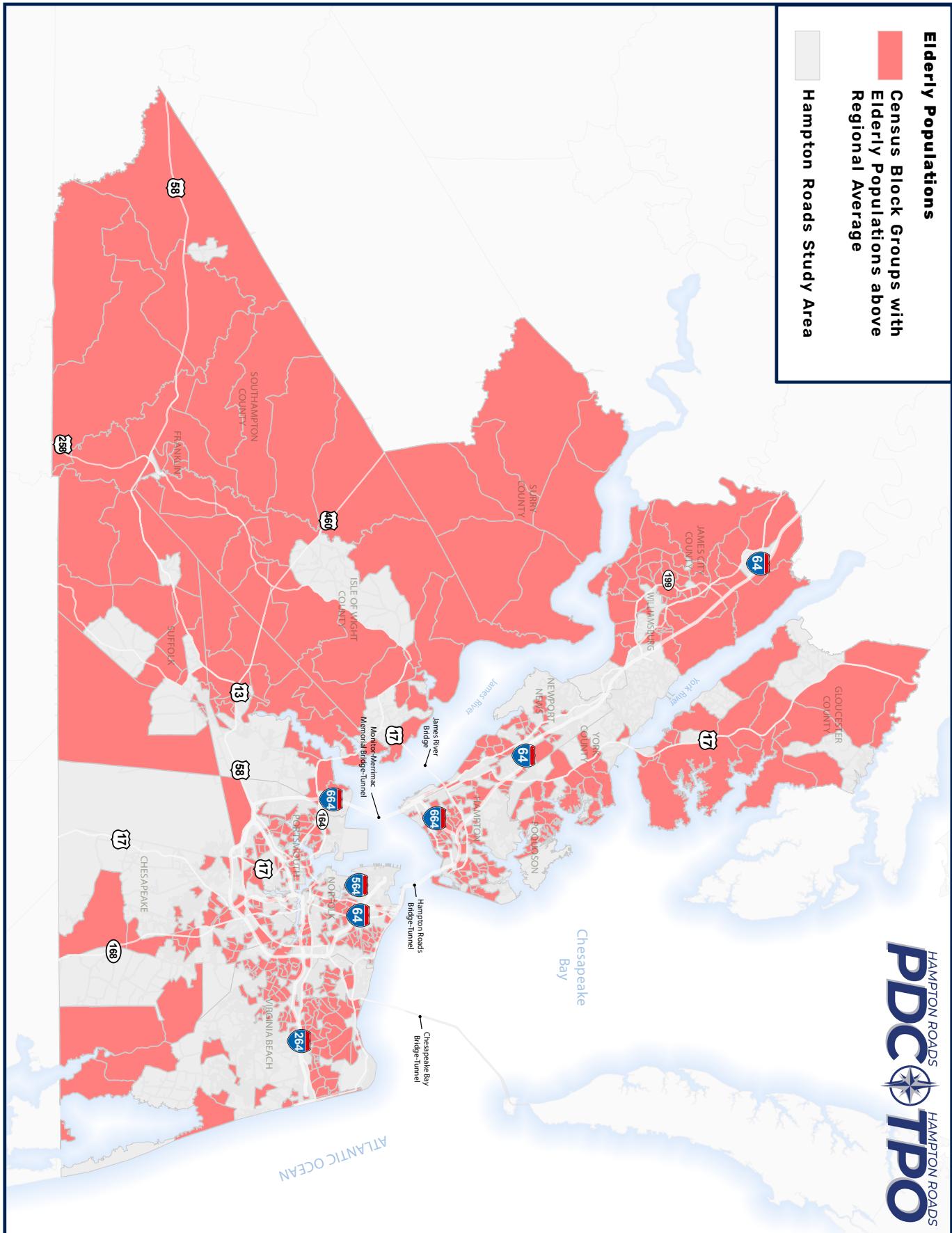
Elderly Populations

The U.S. Census defines elderly as 65 years of age, or older.

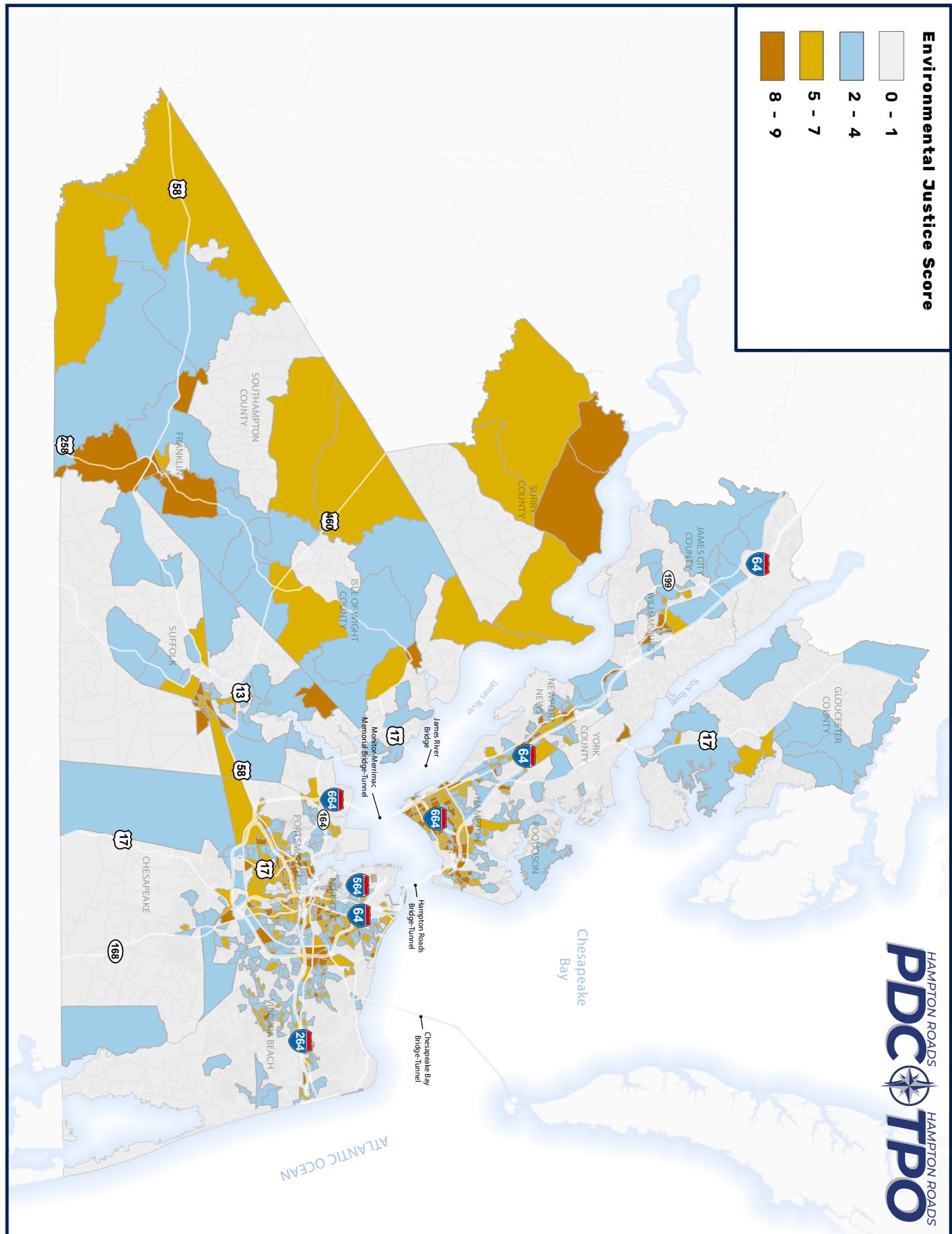
The average percentage of the elderly population within Hampton Roads is 15.5 percent based on 2017-2021 ACS, and the total elderly population was 255,416.

Jurisdiction	Total Population	Elderly Populations	Percentage
Chesapeake	247,172	32,898	14.3%
Franklin	8,249	1,640	19.3%
Gloucester County	38,586	7,433	20.7%
Hampton	136,748	20,893	16.5%
Isle of Wight County	38,301	7,243	20.1%
James City County	77,733	19,573	26.6%
Newport News	185,069	23,956	13.4%
Norfolk	238,556	26,893	12.6%
Poquoson	12,382	2,399	20.8%
Portsmouth	97,454	14,424	15.0%
Southampton County	18,028	3,633	20.3%
Suffolk	93,268	13,431	15.3%
Surry County	6,563	1,495	23.8%
Virginia Beach	457,658	65,559	15.2%
Williamsburg	15,299	2,546	19.6%
York County	69,635	11,400	17.2%
Region	1,740,701	255,416	15.5%

Table 8: Distribution of elderly populations in Hampton Roads. Jurisdictions that have an elderly population above the regional average of 15.5% are bolded.



Map 11: Distribution of elderly populations in Hampton Roads.



Map 12: Distribution of populations and households with EJ or Title VI related indicators throughout Hampton Roads.

Limited English Proficiency (LEP)

Understanding Limited English Proficiency (LEP)

Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency (LEP). The Executive Order requires federal agencies to examine their services, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Executive Order also requires that federal agencies work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Individuals who do not speak English as their primary language and have limited ability to read, speak, write, or understand English can be limited English proficient, or “LEP.” For an LEP individual, language can present a barrier to accessing benefits and services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. These individuals may be entitled to language assistance at no cost concerning a particular type of service, benefit, or encounter.

US DOT Four-Factor Analysis

The United States Department of Transportation (US DOT) guidelines require that recipients of federal financial assistance provide “meaningful access to programs and activities” by giving LEP persons adequate and understandable information and allowing them to participate in programs and activities, where appropriate. Recipients of federal funds must take reasonable steps to remove barriers for LEP individuals. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. Demographics: number and/or proportion of LEP persons served and languages spoken in the service area.
2. Frequency: rate of contact with service or program.
3. Importance: nature and importance of program/service to people’s lives.
4. Resources: available resources, including language assistance services.

The Four-Factor Analysis should be used to determine which language assistance services are appropriate to address the identified needs of the LEP population. More information regarding the identification of LEP individuals within the community and outreach strategies are included within the HPRDC/HRTPO Public Participation Plans.

Four-Factor Analysis for the Hampton Roads Region

Factor 1 – Demographics

The HRPDC/HRTPO has reviewed census data on the number of individuals in its service area with LEP and the languages they speak. This data comes from the American Community Survey (2017-2021) 5-year estimate. This data indicates the extent to which translations into other languages are needed to meet the needs of LEP persons.

Language Group	Speak English Less than “Very Well”	Percentage of Total Population
Spanish	20,984	1.31%
Tagalog (incl. Filipino)	6,775	0.42%
Chinese (incl. Mandarin, Cantonese)	3,435	0.21%
Vietnamese	3,112	0.19%
Other Indo-European	2,660	0.17%
Other and unspecified languages	9,146	0.57%
Total Population	46,112	2.88%

Table 9: Regional languages spoken by individuals with Limited English Proficiency who speak English less than “very well.” This table sources data from the ACS 2017-2021 survey.

Note: Spanish is an Indo-European language but is considered a separate category because of the number of speakers in the Region. Indo-European languages consist of European languages and languages of the Indian subcontinent.

Factor 2 – Frequency

The HRPDC/HRTPO is not typically approached for information by any populations who need a more reasonable grasp of English; however, staff will provide such services when requested. The HRPDC/HRTPO conducts regular board meetings, committee meetings, and public hearings throughout the year. Community outreach and the HRPDC/HRTPO website are the primary sources of potential contact between the organization and LEP persons. As a result, the frequency of contact is difficult to anticipate and is evaluated on a project-by-project basis. As of 2023, the HRPDC/HRTPO maintains a record of all LEP requests and interactions across the organization.

Factor 3 – Importance

The impact of proposed regional investments on underserved and under-represented populations, including LEP persons, is part of the Environmental Justice evaluation process. The HRPDC/HRTPO will provide translated materials, interpreters, and other assistance appropriate for limited English-speaking populations, as needed. The HRPDC/HRTPO desires input from a comprehensive and representative group of stakeholders, and every effort is taken to make the planning process as inclusive as possible.

Factor 4 – Resources

HRPDC/HRTPO does not have a standalone budget for marketing to or communicating with LEP persons in their language about planning processes, services, and resources. However, we are committed to including funding for interpretation and translation services and multilingual outreach to the greatest extent practicable.

Given the size of Hampton Roads' LEP population, the requested translation frequency, and current financial constraints, the four-factor analysis determined that full-language translations of all documents and interpreter services at all meetings are not warranted or cost-feasible. However, the HRPDC/HRTPO will conduct outreach to the Spanish-speaking population, the largest LEP group, as a part of our general community outreach and evaluate other language accommodations on a project-by-project basis.

HRPDC/HRTPO will do its utmost to engage all stakeholder groups and meet all translation and interpretation requests.

Limited English Proficiency Plan

Using the Four-Factor Analysis as a foundation, the HRPDC/HRTPO created a Limited English Proficiency Plan to ensure timely and meaningful access for LEP individuals encountering the HRPDC/HRTPO.

The HRPDC/HRTPO currently undertakes the following to ensure that LEP persons have access to important information:

- **Interpretation Services** – the HRPDC/HRTPO provides language interpreters for public meetings if given at least 48 hours' notice. The HRPDC/HRTPO will do its utmost to provide translators for other languages if requested.
- **Material Translation** – Documents and materials are translated depending on project needs and the impacted populations. Additional documents can be translated upon request. We aim to complete document translation within a reasonable time frame.
- **Website Translation** – The HRPDC/HRTPO has a built-in translation function on their homepages that translates their website's content into various languages.
- **TDD/TTY capabilities** – Deaf and hearing impaired people can call the Virginia Relay Center at 7-1-1, 1-866-894-4116 (voice), or 1-866-246-9300 (TTY). The HRPDC/HRTPO may be contacted at 757-420-8300 (voice) or (757) 390-2578 (TTY). This information is also listed on the HRPDC/HRTPO websites.
- **Bilingual Staff** – The HRPDC/HRTPO assesses the language capabilities of its staff and their comfort level with providing interpretation and translation services to community members.

To ensure the Language Assistance Plan remains current, the HRPDC/HRTPO will:

- Continue to update the plan and report progress every three years as part of its Title VI Program update.
- Monitor current LEP populations in the service area and emerging populations affected or encountered.
- Document and monitor the frequency of encounters with LEP language groups.
- Assess the effectiveness of public outreach programs for projects/plans targeting LEP populations.
- Communicate the goals and objectives of the LEP plan and evaluate the opportunity for community involvement and planning.
- Strive to identify sources of assistance and opportunities to implement LEP goals.

The HRPDC/HRTPO will ensure that organizational staff understands the following:

- Where to find the Limited English Proficiency Plan on the HRPDC and HRTPO websites
- How to handle verbal and written requests for interpretation or translation services
- Their responsibility to notify the Title VI Coordinator about any LEP persons' unmet needs.

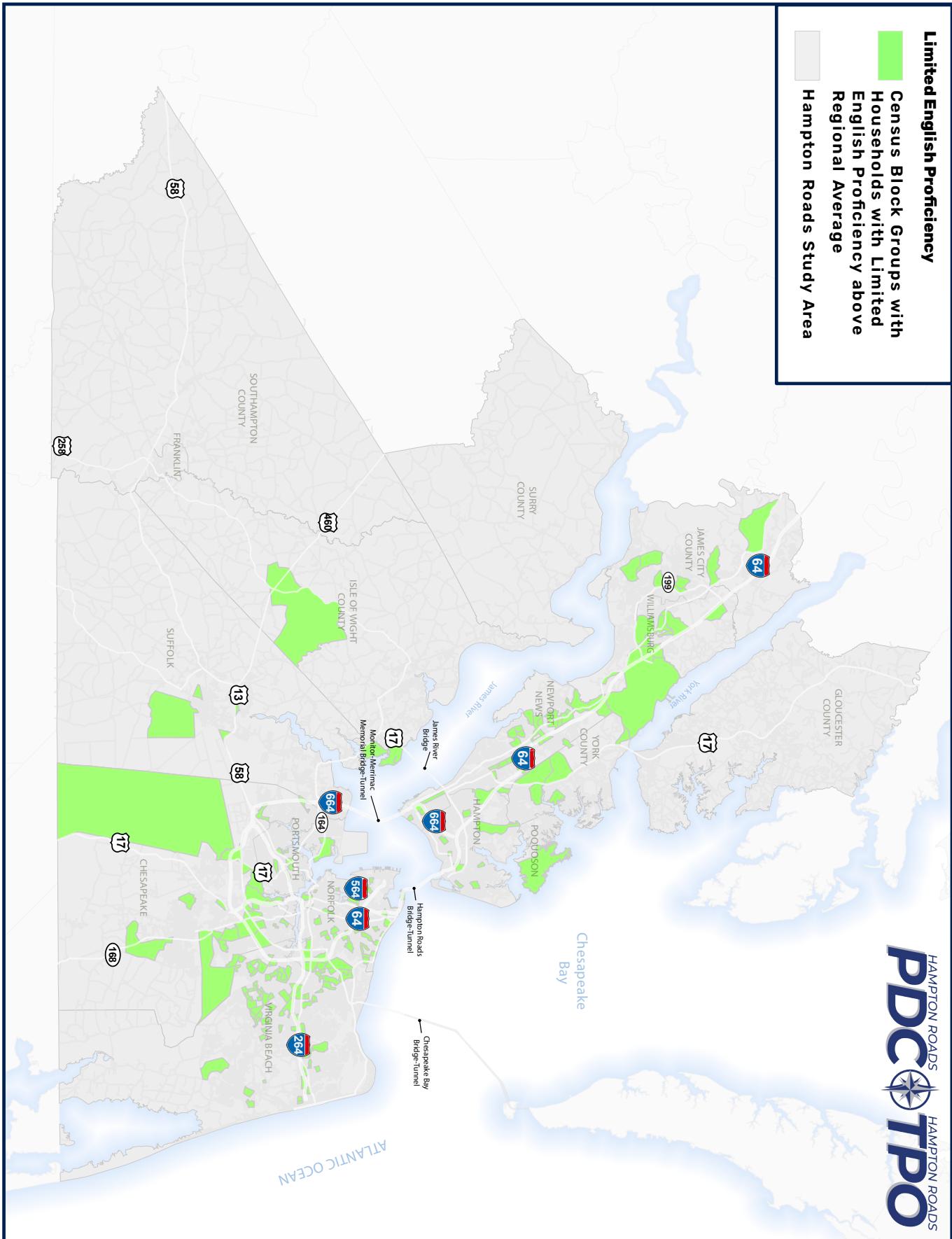
Regional Limited English Proficiency Data

Language	Speak English less than “Very Well.”	% of the Regional Population
Spanish	20,984	1.31%
Tagalog (incl. Filipino)	6,775	0.42%
Chinese (incl. Mandarin, Cantonese)	3,435	0.21%
Vietnamese	3,112	0.19%
Other Indo-European	2,660	0.17%
Other Asian and Pacific Island languages	2,507	0.16%
Korean	1,956	0.12%
French, Haitian, or Cajun	1,200	0.07%
Arabic	1,054	0.07%
Russian, Polish, or other Slavic	886	0.06%
German or other West Germanic	803	0.05%
Other and unspecified languages	740	0.05%

Table 10: Detailed regional languages spoken by individuals with limited English proficiency who speak English less than “very well.” This table sources data from the ACS 2017-2021 survey.

Municipality	Population 5 Years & Over	Speak Only English	Speaks Other Languages	Speak English Less than "Very Well"
Gloucester County	35,337	34,307	1,030	164
Isle of Wight County	34,735	33,076	1,659	549
James City County	71,330	65,629	5,701	1,975
Southampton County	17,008	16,730	278	40
Surry County	6,237	6,158	79	2
York County	64,203	57,049	7,154	2,364
Chesapeake	224,838	206,199	18,639	5,462
Franklin	7,601	7,394	207	35
Hampton	126,762	118,526	8,236	2,489
Newport News	166,556	148,799	17,757	6,039
Norfolk	228,523	204,754	23,769	7,133
Poquoson	11,536	10,992	544	109
Portsmouth	87,988	83,953	4,035	1,285
Suffolk	84,134	79,847	4,287	1,112
Virginia Beach	421,625	369,023	52,602	17,076
Williamsburg	14,412	12,410	2,002	278
Total	1,602,825	1,454,846	147,979	46,112

Table 11: Municipal distribution of languages spoken by individuals with limited English proficiency who speak English less than "very well." This table sources data from the ACS 2017-2019 survey.



Map 13: Distribution of LEP households in the Hampton Roads Region.

Appendix

Assurances

Hampton Roads Transportation Planning Organization TITLE VI / NONDISCRIMINATION ASSURANCE (DOT Order No.1050.2A)

The **Hampton Roads Transportation Planning Organization (HRTPO)**, (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the *Federal Highway Administration*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurance

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

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

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program")

Hampton Roads Transportation Planning Organization
TITLE VI / NONDISCRIMINATION ASSURANCE
(DOT Order No.1050.2A)

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conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The HRTPO in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.

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

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

The **HRTPO** gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *Federal-Aid Highway Program*. This ASSURANCE is binding on the *Commonwealth of Virginia*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the *Federal-Aid Highway Program*.

Hampton Roads Transportation Planning Organization (HRTPO)

by 

Robert A. Crum, Jr., Executive Director HRTPO

DATED 10/02/2023

APPENDIX A
U.S. DOT 1050.2A -- Appendix A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the **HRTPO** will accept title to the lands and maintain the project constructed thereon in accordance with the Virginia General Assembly, the Regulations for the Administration of the Federal-Aid Highway Program and the policies and procedures prescribed by the *Federal Highway Administration* of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **HRTPO** all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the **HRTPO** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the **HRTPO**, its successors and assigns.

The **HRTPO** in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the **HRTPO** will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

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

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

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

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

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

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

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

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

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

APPENDIX E
U.S. DOT 1050.2A -- Appendix E

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

Pertinent Nondiscrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Hampton Roads PDC (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through *the Federal Highway Administration and/or Federal Transit Administration*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted *Federal-aid Highways and/or Public Transportation Programs*:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.P.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a

"facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all *Federal-aid Highways and/or Public Transportation Programs* and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Hampton Roads PDC , in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance

under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

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

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

Hampton Roads PDC

(Name of
Recipient)

by _____ *Robert Crum* _____

(Signature of Authorized
Official)

6/29/2023

(Date)

1050.2A
APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, and *the Federal Highway Administration and/or Federal Transit Administration*, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or *the Federal Highway Administration and/or Federal Transit Administration* to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or *the Federal Highway Administration and/or Federal Transit Administration*, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the *Federal Highway Administration and/or Federal Transit Administration* may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the *Federal Highway Administration and/or Federal Transit Administration* may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

1050.2A
APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Hampton Roads PDC will accept title to the lands and maintain the project constructed thereon in accordance with the *Virginia General Assembly*, the Regulations for the Administration of *Federal-aid Highways and/or Public Transportation Programs*, and the policies and procedures prescribed by the *Federal Highway Administration and/or Federal Transit Administration* of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Hampton Roads PDC all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the Hampton Roads PDC and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Hampton Roads PDC , its successors and assigns.

The Hampton Roads PDC , in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Hampton Roads PDC will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

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

1050.2A
APPENDIX C

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

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

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

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

1050.2A
APPENDIX D

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

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

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

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

1050.2A
APPENDIX E

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

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

Glossary Of Terms

Adverse effects - the totality of significant individual or cumulative human health or environmental impacts, including interrelated social and economic outcomes, which may include, but are not limited to, bodily impairment, infirmity, illness or death; air, noise, and water pollution and soil contamination; destruction or disruption of manufactured or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of, benefits of US DOT programs, policies, or activities.

Environmental Justice (EJ) the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, or socioeconomic status, in developing, implementing, and enforcing environmental laws, policies, and regulations. EJ ensures that no particular group bears a disproportionate burden of environmental harm or pollution and that everyone has equal access to environmental benefits, such as clean air and water and a healthy environment.

Low-Income Household – Households with income at or below the United States Department of Health and Human Services poverty guidelines.

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

Minority – a person who is Black, Hispanic/Latine, American Indian, Alaskan Native, or Asian American:

- **Black** – a person having origins in any of the black racial groups of Africa.
- **Hispanic, Latino, Latine** – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Latin culture or origin, regardless of race.
- **American Indian and Alaskan Native** – a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
- **Asian American** – a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
- **Native Hawaiian and Other Pacific Islander**: people originating from any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Minority Population – any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed program, policy, or activity.

Acronyms and Terms

ACS – American Community Survey (Census)

CAC – Community Advisory Committee

CMP – Congestion Management Process

DRPT - Virginia Department of Rail and Public Transportation

EJ – Environmental Justice

FAA - Federal Aviation Administration

FHWA – Federal Highway Administration

FTA - Federal Transit Administration

FTAC - Freight Transportation Advisory Committee

HRPDC – Hampton Roads Planning District Commission

HRTPO – Hampton Roads Transportation Planning Organization

LEP – Limited English Proficiency

LRTA – Long-Range Transportation Plan

MPO – Metropolitan Planning Organization

MPA – Metropolitan Planning Area

NEPA – National Environmental Policy Act

PPP – Public Participation Plan

SNAP – Supplemental Nutrition Assistance Program

TDCHR - Transportation District Commission of Hampton Roads

TIP – Transportation Improvement Program

TTAC – Transportation Technical Advisory Committee

UPWP – Unified Planning Work Program

USDOT – United States Department of Transportation

VDEM – Virginia Department of Emergency Management

VDOA - Virginia Department of Aviation

VDOT – Virginia Department of Transportation

VPA - Virginia Port Authority

WATA - Williamsburg Area Transit Authority

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