

PUBLIC PARTICIPATION PLAN

Approved by the Transportation Policy Board on
September 20, 2024

EI PASO METROPOLITAN PLANNING ORGANIZATION

PUBLIC PARTICIPATION PLAN

IN COOPERATION WITH:

The U.S. Department of Transportation

The Federal Highway Administration

The Federal Transit Administration

The preparation and publication of this document was financed in part through grant(s) provided by the United States Department of Transportation, Federal Highway Administration, and Federal Transit Administration. The provision of federal financial assistance should not be construed as denoted as U.S. Government approval of plans, policies, programs, or projects contained herein.

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SECTION 1. INTRODUCTION

INTRODUCTION

The El Paso Metropolitan Planning Organization (MPO) is a collaborative structure of committees and organizations creating partnerships to address the region's complex transportation needs. The El Paso MPO's Study Area includes: the entire County of El Paso, Texas, the Cities of Sunland Park and Anthony, New Mexico, and portions of Doña Ana and Otero Counties, New Mexico that include the unincorporated communities of Chaparral, and Santa Teresa.

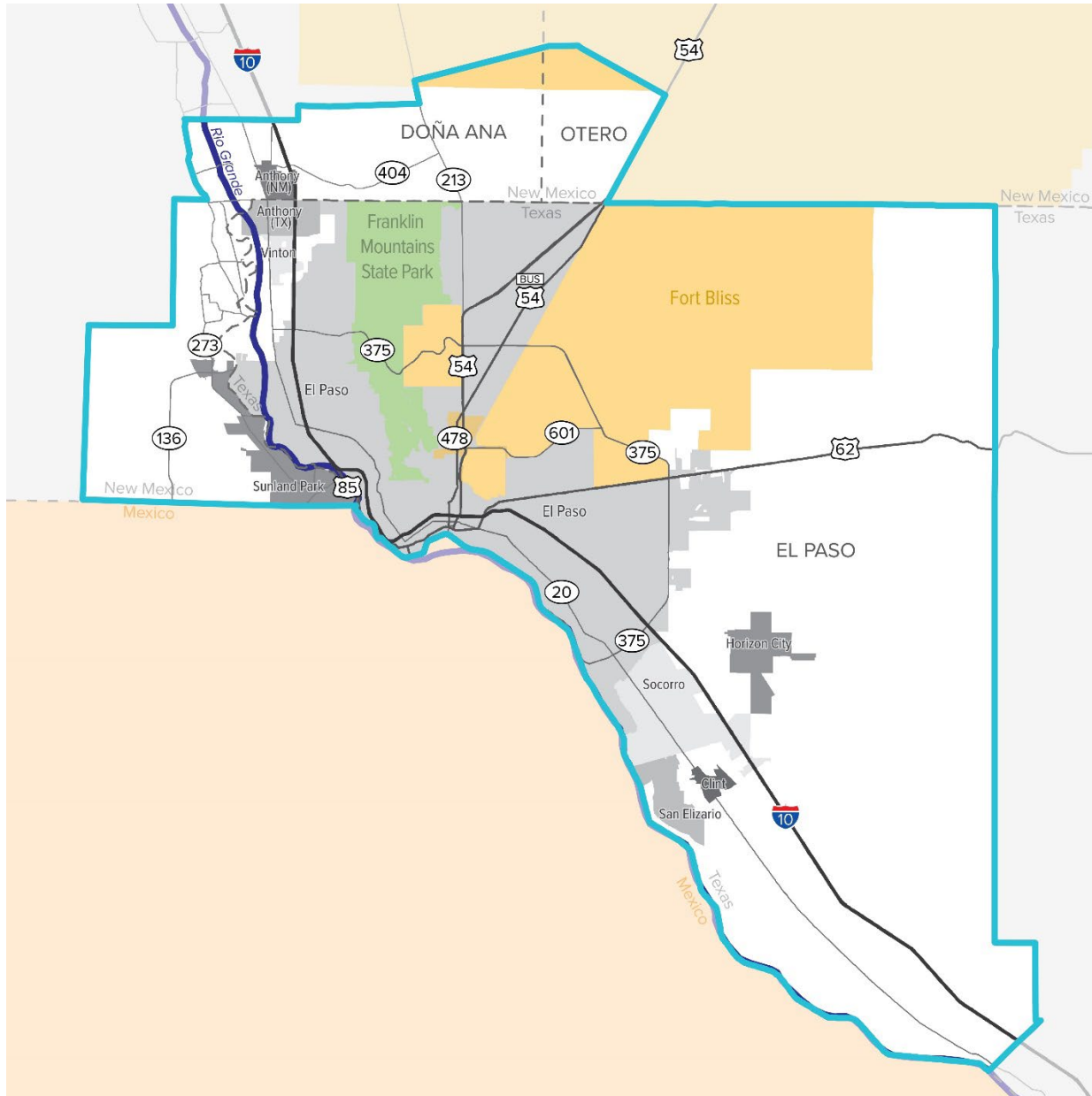


Figure 1. El Paso Metropolitan Planning Organization Area

COMMITTEES

The El Paso MPO is a collaborative structure of committees and organizations creating partnerships to address the region's complex transportation needs. Key players in this organizational structure include:

I. Transportation Policy Board (TPB) – is established by federal regulations (CFR 23 § 450.104) and is composed of principal elected and appointed officials of general-purpose local governments, as well as elected state congresspersons. All entities listed below are represented on the TPB. The TPB holds the decision-making authority of the MPO, and is responsible for setting policy in the transportation planning and programming process.

All Members of the TPB shall have one vote. A TPB member shall not be allowed to have or appoint a proxy member or representation. All members of the El Paso MPO TPB shall comply with the TPB's Ethics Policy, a copy of which is available on the EPMPO website.

Membership shall consist of the following but is not limited to this list:

Texas:

Town of Anthony	1 Elected Official; Mayor or Appointee
City of El Paso	6 Members; Mayor or Appointee + no less than 3 Elected Officials
Town of Clint	1 Elected Official; Mayor or Appointee
County of El Paso	2 Elected Officials; County Judge or Appointee
Town of Horizon City	1 Elected Official; Mayor or Appointee
City of San Elizario	1 Elected Official; Mayor or Appointee
City of Socorro	1 Elected Official; Mayor or Appointee
Village of Vinton	1 Elected Official; Mayor or Appointee
Texas State Senator(s)	All Elected Officials from the El Paso MPO Study Area
Texas State Representative(s)	All Elected Officials from the El Paso MPO Study Area
El Paso International Airport	1 Member El Paso County Transit Agency or
County-wide Mass Transit Authority	1 Member
Sun Metro/Mass Transit Department	1 Member
Texas Department of Transportation	1 Member

New Mexico:

City of Anthony, N.M.	1 Elected Official; Mayor or Appointee
Doña Ana County	1 Member
City of Sunland Park, NM	1 Elected Official; Mayor or Appointee
New Mexico State Representative(s)	1 Elected Official from the El Paso MPO Study Area
New Mexico State Senator	1 Elected Official from the El Paso MPO Study Area
New Mexico Dept. of Transportation	1 Member

The City of El Paso's representation on the Transportation Policy Board shall be equal to the number of incorporated Texas municipalities, cities, towns, or villages within the urbanized study area who have representation on the TPB.

To aid in the process of creating transportation policies and programming plans for long and short range planning documents, the Board has created the following committees:

II. Executive Committee (EC)

The Executive Committee (EC) shall be composed of seven (7) voting TPB members, and the TPB Chairperson and the TPB Vice-Chairperson shall each serve on the EC in the same capacity. The other five (5) members of the EC will be recommended by the TPB Chairperson and approved by the TPB. These actions will take place at the meeting during which the election of officers is held. No two members of the Executive Committee shall be representatives of the same local unit of government or entity. The EC's roles and responsibilities will include review of the business aspect of the MPO, review of the Executive Director, review of contracts and other documents, and other assignments for recommendations to the TPB.

III. Transportation Project Advisory Committee (TPAC)

The Transportation Project Advisory Committee (TPAC) will have seventeen (17) voting members. The TPAC develops and makes recommendations to the TPB on technical issues, including, but not limited to, programming and amending projects, project selection process criteria, and special transportation planning issues. The TPAC holds meetings monthly or as needed. Each TPAC member entity may appoint one primary TPAC member and one alternate member. In the event that the primary member is unable to attend a TPAC meeting, the alternate member appointed by the same member entity may attend the meeting and exercise voting privileges. An alternate member cannot exercise voting privileges at more than four (4) TPAC meetings per year. An alternate member must meet the same requirements as a primary TPAC member. The Chair and Vice-Chair of the TPAC shall be selected for a two-year term by peer members of the TPAC, and is eligible for re-election. Nine (9) voting members of the TPAC shall constitute a quorum.

Additional Ad hoc committees of the membership of the Policy Board may be established and appointed by the Chairperson to assist the Policy Board in the performance of its function. Special Committees or Task Forces may be established and appointed by the TPB to undertake special assignments. These committees may consist of TPB members, public officials, citizens, and other individuals the TPB deems appropriate. Standing committees may have separate bylaws, which must be ratified by the Policy Board (EPMPO Bylaws, Article VIII, 5/17/2024)

SECTION 2. FEDERAL AND STATE REQUIREMENTS

Several Federal and State laws and regulations guide the public participation efforts of the MPO and ensure that input into its various planning and programming activities is received. Laws and legislation relevant to Public Participation Plan include:

FIXING AMERICA'S SURFACE TRANSPORTATION (FAST) ACT

The FAST Act was signed into law on December 4, 2015. The Act reauthorized the federal-aid highway program through fiscal year 2020, while consolidating the number of federal programs to focus resources on key national goals and reduce duplicative programs. The Act also emphasized expedited project delivery. The IIJA, which reauthorized the federal-aid highway program in 2022, continued these requirements.

The FAST Act continued the previous transportation act's commitment to public participation, directing Metropolitan Planning Organizations (MPO) to have a public participation plan that provides people, "affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to be involved in the metropolitan transportation planning process."

The FAST Act directed MPO public participation plans to "be developed in consultation with all interested parties," and "provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan." It further directed MPOs "to the maximum extent practicable" to "hold any public meetings at convenient and accessible locations and times," to "employ visualization techniques to describe plans," and to "make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information."

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

The Title VI of the Civil Rights Act of 1964 requires that transportation planning and programming be nondiscriminatory on the basis of race, color, national origin or disability. The federal statute was further clarified and supplemented by the Civil Rights Restoration Act of 1987 and a series of federal statutes enacted in the 1990s relating to the concept of environmental justice. The fundamental principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse health or environmental effects on minority and low-income populations.
- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process.
- Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.

AMERICANS WITH DISABILITIES ACT OF 1990

The Americans with Disabilities Act of 1990 (ADA) stipulates involving the community, particularly those with disabilities, in the development and improvement of services. EPMPO fully complies with these requirements through its ADA plan and policies by making meeting room facilities accessible with wheelchair ramps, and restrooms and elevators that are wheelchair accessible. EPMPO facilitates public participation in transportation activities by people with disabilities using the following guidelines:

- Meetings, public hearings, and formal events are held in facilities accessible by persons with disabilities.
- Public notices of meetings and events include a notice of accommodations for individuals who are disabled. Such accommodations will be provided by request with a minimum 24 hour notice.
- Persons needing to arrange for ADA accommodations at EPMPO meetings and events may call 915-212-0258 within 24 hours of the event.
- In collaboration with transit stakeholders, EPMPO can provide transportation for individuals with disabilities to attend public meetings and events at the EPMPO offices.

EXECUTIVE ORDERS

An Executive Order is an order given by the President to federal agencies. As a recipient of federal revenues, EPMPO assists federal transportation agencies in complying with these orders.

I. Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations: In February 1994, President William Clinton signed Executive Order 12898, which requires that disproportionately high and adverse human health or environmental effects on minority and low-income populations be identified and addressed to achieve environmental justice. Since the establishment of Title VI, Environmental Justice has been considered in local, state, and federal transportation projects. Section 42.104 of Title VI and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion.

II. Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency (LEP): Executive Order 13166 requires Federal agencies to examine the services they provide, 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 the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

III. Executive Order 13175 - Consultation and Coordination with Tribal Governments: Executive Order 13175 states that “in formulating or implementing policies that have tribal implications, agencies shall establish regular and meaningful consultation and collaboration with tribal officials to reduce the imposition of unfunded mandates upon Indian tribes.” The EPMPO metropolitan planning area is home to one federally recognized tribal government, the Ysleta Del Sur Pueblo (also known as Tigua tribe). The EPMPO will actively seek to keep tribal governments

informed of major decisions affecting their geographic area. The EPMPO will continue to communicate with Native American Indian tribal leaders on an ongoing basis to identify issues of common concern.

CODE OF FEDERAL REGULATIONS

A Code of Federal Regulations (CFR) includes a codification of the general and permanent rules published in the Federal Register by the departments and agencies of the Federal Government.

I. 23 CFR §450.316 Interested Parties, Participation, and Consultation

(a) The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

(1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

- (i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP);
- (ii) Providing timely notice and reasonable access to information about transportation issues and processes;
- (iii) Employing visualization techniques to describe MTPs and TIPs;
- (iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the Internet;
- (v) Holding any public meetings at convenient and accessible locations and times;
- (vi) Demonstrating explicit consideration and response to public input received during the development of the MTP and the TIP;
- (vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
- (viii) Providing an additional opportunity for public comment, if the final MTP or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;
- (ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and,

(x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

(2) When significant written and oral comments are received on the draft MTP and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation 11 conformity regulations (40 CFR part 93, subpart A), a summary, analysis, and report on the disposition of comments shall be made as part of the final MTP and TIP.

(3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the Internet to the maximum extent practicable.

(b) In developing MTPs and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the Metropolitan Planning Area (MPA) that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPOs shall develop the MTPs and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

(1) Recipients of assistance under title 49 U.S.C. Chapter 53;

(2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and,

(3) Recipients of assistance under 23 U.S.C. 201-204.

(c) When the MPA includes Indian Tribal lands, the MPOs shall appropriately involve the Indian Tribal government(s) in the development of the MTP and the TIP.

(d) When the MPA includes Federal public lands, the MPOs shall appropriately involve the Federal land management agencies in the development of the MTP and the TIP.

(e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under §450.314.

II. 23 CFR §450.324 Development and Content of the Metropolitan Transportation Plan

(k) The MPOs shall provide individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash out

program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan using the participation plan developed under §450.316(a).

(l) The MPOs shall publish or otherwise make readily available the MTP for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the Internet.

III. 23 CFR §450.326 Development and Content of the Transportation Improvement Program (TIP)

(b) The MPOs shall provide all interested parties with a reasonable opportunity to comment on the proposed TIP as required by §450.316(a). In addition, in nonattainment area TMAs, the MPOs shall provide at least one formal public meeting during the TIP development process, which should be addressed through the participation plan described in §450.316(a). In addition, the MPOs shall publish or otherwise make readily available the TIP for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the Internet, as described in §450.316(a).

SECTION 3. GOALS AND PRINCIPLES OF THE PUBLIC PARTICIPATION PLAN

This Public Participation Plan (PPP) is to serve as a program guide for the public participation process of the El Paso Metropolitan Planning Organization (MPO). The PPP provides the MPO policies and principles that guide its communications and coordination with interested parties such as: residents, neighborhood associations, private and public agencies, and transportation providers, and other members of the public. Additionally, the PPP serves as a tool for planners and decision-makers to engage residents, community groups, organizations, and businesses in the process of planning the transportation system.

GOALS AND PRINCIPLES OF THE PUBLIC PARTICIPATION PLAN

The goal of the Public Participation Plan (PPP) is to include residents, community and neighborhood groups and associations, non-profit groups, business sector groups, transportation providers, federal, state, and local government agencies, and many others to participate in a proactive, predictable planning effort that provides full access to making key transportation decisions early and during the process. Accomplishing the task of planning for transportation needs in the present day, five, ten and even twenty years from now, requires the MPO to coordinate and collaborate with many types of public and private groups to provide mobility to housing, schools, jobs, recreation, and freight movement. Involving the public in the planning process helps reduce the time and cost of creating short- and long-range plans and projects while providing a forum for public input and collaboration with planning agencies. This allows the public the opportunity to voice their ideas, concerns, issues, and opinions and to help guide decision-makers in determining the transportation system of the future. Public involvement processes must be appropriate, accessible, transparent, accountable, meaningful and inclusive of the region's diverse population and its needs.

PRINCIPLES OF THE EL PASO MPO'S PUBLIC PARTICIPATION PROGRAM

- Equal access is an essential part of the public involvement process.
- No major public policy decision is reached or large project implemented without significantly affecting someone.
- Professionals do not have a monopoly on good solutions.
- People are much more willing to live with a decision that affects different interests unequally if the decision-making process is open, objective, and considers all viewpoints.
- Interacting with an official representative of an organization or group is no substitute for interacting directly with that organization or group.
- Effective public notification and participation takes time and effort, and can be expensive, yet is essential to sound decision-making.

SECTION 4. DEVELOPMENT OF AND REVISIONS TO MPO DOCUMENTS

Any MPO Board member agency may request the consideration of a revision to the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), Transportation Conformity Report (TCR), Congestion Management Process (CMP), or Public Participation Plan (PPP) on its own behalf or on the behalf of a non-member agency or private group, business or individual. Private parties must work through the MPO member agency that represents them to request a revision to the MTP. All such requests shall be submitted to the MPO Executive Director in writing. A revision to the above-mentioned documents may be initiated by the MPO Executive Director to ensure that it remains in conformance with all applicable federal, state and regional policy requirements.

PUBLIC PARTICIPATION DURING DEVELOPMENT AND UPDATE OF EPMPO DOCUMENTS

Public involvement for EPMPO documents varies for different document stages and the status of the document undergoing public review. Public review of all documents must be posted at least 72 hours in advance of a scheduled meeting (as required by the Texas Open Meetings Act). Public review of a new planning or programming document is at a minimum of 30 calendar days (except for the PPP which requires a 45 calendar days review period). Most updated and amended documents will have the opportunity to have a 30 calendar day review; however, updated and amended documents may have a minimum of a seven days review before adoption by the TPB, if necessary.

With increased focus on expediting project implementation and funding allocation, there may be rare occasions in which issues arise that require urgent modification of the MTP, TIP, UPWP, TCR, and CMP due to funding requirements or timeliness. In these cases, exceptions to the 30 calendar day comment period may be required in order to avoid not being able to secure funding. In these cases, there will be adequate public notice and clear communication of the abbreviated time period. An abbreviated comment period will be at least seven days. Longer comment periods are preferred and will be offered whenever possible. These actions will be emphasized on the TPB meeting agenda which is posted at least 72 hours prior to the TPB posted meeting.

I. Metropolitan Transportation Plan

The Metropolitan Transportation Plan (MTP) is a long-range transportation plan with 20-year minimum horizon. The MPO is required to develop this plan every four years. The minimum length of public comment period is 30 calendar days whenever a MTP is developed, updated, or amended.

II. Transportation Improvement Program

The Transportation Improvement Program (TIP) is a short-range, fiscally constrained program that covers a four-year horizon period. The MPO is required to develop this plan every four years. The minimum length of public comment period is 30 calendar days whenever a TIP is developed, updated, or amended.

III. Unified Planning Work Program

The Unified Planning Work Program (UPWP) is a document detailing the transportation planning work to be accomplished by the MPO staff in a two-year period and is developed every two years and amended as necessary. The minimum length of public comment period is 30 calendar days whenever a UPWP is developed, updated, or amended.

IV. Transportation Conformity Report

A Transportation Conformity Report (TCR) is a scientific analysis of the MTP and TIP to assure that both MPO documents meet the 1990 Clean Air Act Amendments (CAA). This act contains transportation conformity requirements that are designed to ensure that planning for transportation systems and infrastructure is consistent with and conforms to the State Implementation Plan (SIP). The CAA addresses conformity in Section 176(e)(1). The Federal Regulations interpreting this law are found in 40 CFR 93, subpart A. The minimum length of public comment period is 30 calendar days whenever a new Transportation Conformity determination is triggered.

V. Congestion Management Process

A Congestion Management Process (CMP) is required for all metropolitan areas with populations over 200,000 that are in non-attainment status for carbon monoxide or ozone pollution. This process can be formalized in a variety of ways, and the El Paso MPO has elected to adopt it as a formal document. The CMP contains the congestion-focused strategies and projects to be included in the adopted MTP. It is amended on a continuous basis as updated congestion and traffic data become available and as existing projects listed within it are implemented. The CMP document can be found on the MPO website. The adoption of a wholly new CMP requires a public comment period of 30 calendar days.

VI. Public Participation Plan

The Public Participation Plan (PPP) provides the MPO policies and principles that guide its communications and coordination with the public. The minimum length of public comment period is 45 calendar days whenever a PPP is developed or amended.

VII. Program Management Plan

The El Paso MPO is a designated recipient of Federal Transit Administration (FTA) Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds. The Program Management Plan (PMP) is a document that describes the designated recipient's policies and procedures for administering FTA's Section 5310 program in a large urbanized area.

Each recipient is required to have an approved PMP on file with the appropriate FTA regional office and to update it regularly to incorporate any changes in program management or new requirements. The recipient shall provide an opportunity for review by stakeholders when it develops a new plan or significantly revises an existing plan. In addition, development of PMPs should be done in the context of local and statewide planning processes. Certain contents of the PMP, such as coordination of service, project selection criteria, and method of distributing funds, should be coordinated with the statewide transportation improvement program (STIP) and transportation improvement program (TIP).

The PMP's primary purposes are to serve as the basis for FTA to perform recipient-level management reviews of the program, and to provide public information on the recipient's administration of the Section 5310 program. It may also be used internally by the recipient as a program guide for local project applicants. If the recipient has other relevant documentation that provides the same information requested for the PMP, such as an annual application instructions manual, it may be included by reference, as an attachment.

VIII. Annual Listing of Obligated Projects

The Annual Listing of Obligated Projects (ALOP) is a federally required MPO annual report (23 CFR 450.334), which publicly discloses the funds that have been obligated in the preceding year. This report includes investments in roadways, transit, maintenance, pedestrian walkways and bicycle transportation facilities. The development and distribution of the ALOP ensures that the public will have an accurate understanding of how federal funds are actually being spent on transportation projects.

The EPMPO in consultation and coordination with the Texas Department of Transportation, New Mexico Department of Transportation, El Paso County and public transportation agencies, compiles the project information for the ALOP. While there is no comment period on the ALOP, it is published on the EPMPO website (www.elpasompo.org) no later than 90 days after the end of each Fiscal Year (FY). The ALOP is also presented to the Transportation Project Advisory Committee (TPAC) and Transportation Policy Board (TPB) when finalized for informational purposes.

EPMPO Document	Length of Comment Period	Minimum Notification of Opportunity
<ul style="list-style-type: none"> • Metropolitan Transportation Plan • Transportation Improvement Program • Unified Planning Work Program • Transportation Conformity Report • Congestion Management Process • Program Management Plan 	30 days	<ul style="list-style-type: none"> • EPMPO website announcement • Known media outlets
<ul style="list-style-type: none"> • Public Participation Plan 	45 days [23 CFR 450.316 (a)]	
<ul style="list-style-type: none"> • Annual Listing of Obligated Projects 	N/A	<ul style="list-style-type: none"> • Posted to the EPMPO website 90 days after the end of each FY

AMENDMENTS

As summarized below, EPMPO acknowledges three types of revisions to its document revision process. In the course of the life of MPO documents, revisions to the content are frequently made to provide current programming and/or changes adopted by the TPB. A revision is defined as a change to the MTP, TIP, UPWP, TCR, CMP, or PPP that occurs between scheduled periodic updates. El Paso MPO includes Texas and New Mexico areas, therefore it is under the NMDOT (“State Transportation Improvement Program (STIP) Procedures”) and TxDOT STIP revision processes. The definitions of these various revisions are as follows:

Tier 1: Primary Amendment – a major revision to the above-mentioned MPO documents. This type of amendment requires 30 calendar day public review and comment (45 calendar day public review and comment for Public Participation Plan), a demonstration of fiscal constraint where applicable, and a conformity determination where applicable. Conformity determinations are only required for MTPs and TIPs in non-attainment and maintenance areas. All Tier 1 Primary Amendments require approval by the TPB.

Revisions that include the following are defined as primary amendments:

For the MTP and TIP:

- Major change in project cost:
 - Significant additional funding for a project (as defined by the TPB): changes in the federal cost exceeding fifty percent (50%) AND resulting in a revised total cost exceeding \$1,499,999 for a highway project or exceeding twenty percent (20%) for a transit project. A primary amendment is NOT required when a change in estimated federal cost results in a total project cost of less than \$1,500,000, even if the federal cost increases by more than 50% for a highway project.
 - Change from state funding category to federal funding category
- Adding federally funded projects
- Adding regionally significant state-funded projects
- Projects adding significant additional capacity to the MPO transportation network
- Changes to a project that require network models to be run
- Addition or deletion of a project

- Major changes in a project's design concept or design scope, and
- Major changes to project/project phase initiation dates.
 - A major change is considered moving a project into or out of the first four fiscal years of a TIP (as allowed by funding categories).
- Any other change consistent with those criteria above is considered a Tier 1 Amendment.

For the TCR:

- Any change that would necessitate a Tier 1 Amendment to the MTP would require the development and adoption of a new TCR. Adoption must occur concurrently with the MTP Tier 1 revision.

For the CMP:

- Not applicable.

For the UPWP:

- Additions or deletions of work tasks or subtasks
- Additions or deletions of funding sources
- Significant additions or changes to the scope of approved work tasks
 - A consultant or other outside entity contributes effort toward the completion of a task or subtask using MPO funding sources
 - The scope will increase or decrease by more than one third, as determined by EPMPO staff
 - EPMPO staff determines that the subject matter covered by the task will change appreciably from that which was approved in the adopted UPWP
- Significant increase or decrease in task costs, which is one that exceeds twenty-five percent (25%) of the current task cost
- Any other change consistent with those criteria above is considered a Tier 1 Amendment.

For the PPP:

- Changes to the goals and principles of the PPP
- Changes to the amendment criteria for MPO documents
- Changes to the public notification schedule for amendments of MPO documents
- Changes to the meeting procedures that concern venue criteria or public notification
- Any other change consistent with those criteria above is considered a Tier 1 Amendment.

For Title VI

- Updates to the Limited English Proficiency Plan, apart from those made for consistency with current demographic information
- Updates to MPO responsibilities, principles, or procedures described within the document
- Any other change consistent with those criteria above is considered a Tier 1 Amendment.

A primary amendment may also be defined by the judgment and direction of the TPB as a consequence of particularities of a project and the forecasted final effects of the implementation of a project. Primary amendments must be presented to the TPB for approval.

Tier 2: Secondary (Administrative) Amendment – a minor revision that does not significantly change the capacity of the MPO transportation network, increase the funding for a project, or excessively change the locations or limits of a particular project from the original limits as listed in the adopted MTP and TIP. A secondary amendment is also a minor revision to the non-project-based documents covered in the Tier 1 Section of the PPP. This includes, but is not limited to:

For the MTP and TIP:

- Change in CSJ or Control Number (CN),
- Change in letting date,
- Minor changes to funding sources of previously-included projects,
 - Change from one state funding category to another state funding category
 - Change in one federal funding category to another federal category
- Change in the project limits for a state-funded project
- Change in TIP year for a state-funded project
- Addition of a project to a Statewide Program (using a Statewide CSJ and CN)
- Minor changes to project/project phase costs, which are those where the proposed change to the federal share of a highway project cost does not exceed fifty percent (50%) or result in a revised total cost at or above \$1,500,000; or twenty percent (20%) of the federal share for a transit project. It is still considered a minor change when a change in estimated federal cost results in a total project cost of less than \$1,500,000 for a highway project, even if the federal cost increases by more than 50%. It is also still continued a minor change if a federal increase is less than 50% and the total project cost is over \$1,500,000 for a highway project.
- Minor changes to project/project phase initiation dates.
- A minor change is considered moving a project's funds to another Fiscal Year provided they are not being moved into or out of the first four fiscal years of a TIP (as allowed by funding categories), and
- Other revisions of a similar nature to those listed above. In cases of ambiguity, a Tier 1 Formal Amendment should be pursued.

For the TCR:

- Not applicable

For the CMP:

- The CMP is intended to serve as a living document. Amendments to it are made periodically as updated congestion and traffic information becomes available. The adopted CMP and any amendments to it can be found here: [El Paso MPO - Congestion Management Process](#)

For the UPWP:

- Minor changes to task scopes. A minor addition or change to the scope of an approved work task is one in which:
 - Does not change who will complete the task or subtask
 - The scope will not increase by more than one third, as determined by EPMPO staff
 - EPMPO staff determines that the subject matter covered by the task will not change appreciably from that which was approved in the adopted UPWP
- Minor changes to task costs, which is one that does not exceed a twenty-five percent (25%) increase in task or subtask costs
- Revising the description of the MPO organization or that of its boards and committees in the introduction for consistency with changes approved by the TPB
- Updating references to applicable federal and state regulations
- Updating of boundary maps for consistency with most recent available information
- Other revisions of a similar nature to those listed above. In cases of ambiguity, a Tier 1 Formal Amendment should be pursued.

For the PPP:

- Revising the description of the MPO organization or that of its boards and committees in the introduction for consistency with changes approved by the TPB
- Updating references to applicable federal and state regulations
- Updating of boundary maps for consistency with most recent available information
- Adding social media accounts or and other similar additions to the list of ways the EPMPO engages with the public for consistency with current EPMPO practices
- Changes to the meeting procedures that do not concern location criteria or public notification procedures
- Modifications to the list of acronyms for accuracy
- Other revisions of a similar nature to those listed above. In cases of ambiguity, a Tier 1 Formal Amendment should be pursued.

For Title VI:

- Updating the description of the MPO organization
- Updates to statutory references to ensure consistency with current state and federal requirements
- Updating the names of MPO staff members in Appendix 2: EPMPO Organizational Chart of Title VI Responsibilities
- Updating demographic information and maps for consistency with most recent data
- Adding public outreach event summaries to Appendix 10
- Updating the list of documents that have been translated into Spanish in the Limited English Proficiency Plan
- Other revisions of a similar nature to those listed above. In cases of ambiguity, a Tier 1 Formal Amendment should be pursued.

Administrative amendments do not require a formal 30 calendar day public review or comment, a demonstration of fiscal constraint, conformity determination, nor do they need to be presented to the TPB.

Tier 3: Grammatical and Format Amendment – a minor revision required to correct or add grammatical or format errors that do not change the content of the document. Grammatical and format amendments are not required to be presented to the TPB nor do they require a formal 30 calendar day public review or comment, a demonstration of fiscal constraint, nor conformity determination.

SECTION 5. METHODS OF PUBLIC PARTICIPATION

By offering information in a variety of formats, EPMPO is able to include far more people in the planning process than relying on a limited number of strategies and opportunities. Efforts to inform and gather input from the public include, but are not limited to, the following strategies.

WEBSITE

The El Paso MPO website (www.elpasompo.org) is the official platform to inform the public of activities. It provides easy access to information about the plans, programs and policies of the MPO. The website includes a calendar of events, committee activities and actions, requests for proposals and requests for qualifications and electronic versions of plans, reports, policies and program information. The site includes a search feature that allows users to find specific documents or other information using key words.

When information is released for public review and comment, it will be available at www.elpasompo.org/departments/publicinvolvement, which will be included on all communications announcing the public review and comment opportunity.

This site includes the latest information on public meetings, media releases, public surveys and the EPMPO Public Participation Plan. Public meeting presentations, handouts, schedules, flyers and minutes are made available on this site as well.

SOCIAL MEDIA

The El Paso MPO currently manages Twitter, Instagram and Facebook profiles to post announcements on public meetings on a frequent basis. Through the social media profiles the MPO also distributes the live streaming of its TPB meeting. Social media also provides an opportunity for the MPO to have a greater reach to the public for their input to the MPO's on-going planning process.

VIDEO

One of several visualization techniques, video may be used to increase understanding of complex transportation plans, policies and programs. Video recordings of Transportation Policy Board meetings are posted online at www.elpasompo.org/TPBVideos, according to the Texas Government Code § 551.128.

MEDIA OUTLETS

All public listening session/open house notices will be sent to selected newspapers to ensure regional coverage. When possible, radio and television will be used to reach a larger audience.

PUBLIC MEETINGS

For large, complex or extensive transportation planning efforts, public meetings and workshops allow for in-depth discussion. Typically, these events are reserved for development of plans, programs and policies and significant changes to those as well as more project or study area specific discussions.

As needed, EPMPO will host these events to gather input and build consensus among various transportation stakeholders. To facilitate greater participation in public meetings specifically, the

following criteria are considered when selecting meeting locations. Ideally the meetings will be held in person; however, under certain circumstances an in-person meeting may not be feasible, the MPO will hold virtual public meeting(s). These criteria also reflect Environmental Justice considerations.

- Meetings will be held in accessible locations, preferably near transit lines or routes.
- Meetings will be held in buildings that are in full compliance with the Americans with Disabilities Act of 1990.
- Presentations and supporting documentation, as needed, will be available at meetings.
- As part of the planning processes and adoption for all new planning documents, MPO staff will conduct public meetings for planning and programming documents for the exchange of information and public comments regarding final draft versions of MPO planning and programming documents. These sessions will provide opportunities for the public to present comments regarding the final draft of planning documents and/or studies developed by the El Paso MPO.
- Upon request, language translation, including sign and foreign language interpreters and handouts in large print or Braille, will be available. Additionally, staff will make every effort to accommodate requests from persons with disabilities. A minimum of ten calendar days advance notice is required for these arrangements to be provided. Public meeting notices will provide the telephone number and e-mail address to request special arrangements.
- When the MPO is not able to host in-person public meetings, it will provide online participation opportunities such as virtual public meetings to gather input from the community.

Public notices will be written in English and Spanish and posted on MPO website, and MPO may submit to known media outlets to ensure regional coverage.

TRANSPORTATION POLICY BOARD AND SUBCOMMITTEE MEETINGS

TPB and subcommittee meetings will serve as public comment forums for any draft document and their updates, in addition to all other public meetings. TPB meetings will be advertised in the local newspapers and announced through the MPO's website.

PRINT AND DIGITAL PUBLICATIONS

Various planning documents and other publications can be viewed via the EPMPO website and are available upon request. These documents include, but are not limited to:

- Metropolitan Transportation Plan,
- Transportation Improvement Program,
- Unified Planning Work Program,
- Transportation Conformity Report,
- Congestion Management Process, and
- Public Participation Plan.

APPENDIX A. ACRONYMS

ADA - American Disabilities Act of 1990
CFR - Code of Federal Regulations
CMP - Congestion Management Process
CAA - Clean Air Act
CN- Control Number
CSJ- Control Section Job
EPMPO - El Paso Metropolitan Planning Organization
EPA - Environmental Protection Agency
FAST ACT - Fixing America's Surface Transportation Act
FHWA - Federal Highway Administration
FTA - Federal Transit Administration
LEP - Limited English Proficiency
MPA - Metropolitan Planning Area
MPO- Metropolitan Planning Organization
MTP - Metropolitan Transportation Plan
PMP- Program Management Plan
PPP - Public Participation Program
SIP - State Implementation Plan
TCR - Transportation Conformity Report
TIP - Transportation Improvement Program
TMA - Transportation Management Area
TPB - Transportation Policy Board
TPAC - Transportation Project Advisory Committee
UPWP - Unified Planning Work Program

APPENDIX B. TITLE VI COMPLAINT PROCEDURES

(Approved by the Transportation Policy Board on 12/11/2020)



Title VI Complaint Procedures

As a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related Title VI statutes, The El Paso MPO ensures that no person shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any agency receiving federal financial assistance for programs or activities. All programs funded in whole or in part from federal financial assistance are subject to Title VI requirements. The Civil Rights Restoration Act of 1987 extended this to all programs within an agency that receives federal assistance regardless of the funding source for individual programs.

This policy is intended to establish a procedure under which complaints alleging discrimination in El Paso MPO's provisions, services, or EPMPO activities can be made by persons who are not employees of El Paso MPO. Any person who believes El Paso MPO, or any entity who receives federal financial assistance from or through EPMPO (i.e., sub-recipients, sub-contractors, or sub-grantees), has subjected them or any specific class of individuals to unlawful discrimination may file a complaint of discrimination. The El Paso MPO will follow timelines set forth in guidance from the Department of Transportation, the Federal Highway Administration, Federal Transit Administration and the Department of Justice for processing Title VI discrimination complaints.

Filing Period

A complaint of discrimination must be filed within 180 calendar days of the alleged act of Discrimination, or discovery thereof; or where there has been a continuing course of conduct, the date on which that conduct was discontinued. Filing means a written complaint must be postmarked before the expiration of the 180-day period. The filing date is the day you complete, sign, and mail the complaint form. The complaint form and consent/release form must be dated and signed for acceptance. Complaints received more than 180 days after the alleged discrimination will not be processed and will be returned to the complainant with a letter explaining why the complaint could not be processed and alternative agencies to which a report may be made.

Where to File

In order to be processed, signed original complaint forms must be mailed to:

Executive Director/Title VI Coordinator
El Paso Metropolitan Planning Organization
211 N. Florence St., Suite 202
El Paso, TX 79901

Upon request, reasonable accommodations will be made for persons who are unable to complete the complaint form due to disability or Limited-English proficiency. A complaint may also be filed by a representative on behalf of a complainant.

Persons who are not satisfied with the findings of the El Paso MPO may seek remedy from other applicable state of federal agencies.

Requirements for a Complaint

In order to be processed, a complaint must be in writing and contain the following information (See Appendix 3 of Title VI Program for Discrimination Form or on our website at www.elpasompo.org/TitleVI):

- Name, address, and phone number of the complainant.
- Name(s) and address(es) and business(es)/organization(s) of person(s) who allegedly discriminated.
- Date of alleged discriminatory act(s).
- Basis of complaint (i.e. race, color, national origin, sex, age, religion, or disability).
- A statement of complaint.
- A signed consent release form.

Complaint Review Process

The following is a description of how a discrimination complaint will be handled once received by El Paso MPO.

1. **A written complaint is received by El Paso MPO:** Complaints must be in writing and signed by the complainant or their designated representative. If the complainant is unable to complete the form in writing due to disability or Limited-English proficiency, upon request reasonable accommodations will be made to ensure the complaint is received and processed in a timely manner. Complainants wishing to file a complaint that do not have access to the Internet or the ability to pick up a form will be mailed a complaint form to complete. The complainant will be notified if the complaint form is incomplete and asked to furnish the missing information.
2. **Complaint is logged into tracking database:** Completed complaint forms will be logged into the complaint tracking database; basic data will be maintained on each complaint received.
3. **Determine jurisdiction:** El Paso MPO's Title VI Public Involvement Liaison will complete an initial review of the complaint. The purpose of this review is to determine if the complaint meets basic

criteria.

Criteria required for a complete complaint:

- Basis of alleged discrimination (i.e. race, religion, color, national origin, sex, age or disability).
- Determination of timeliness will also be made to ensure that the complaint was filed within the 180-day period requirement.
- The program in which the alleged discrimination occurred will be examined to ensure that the complaint was filed with the appropriate agency. During this process, if a determination was made in which the program or activity that the alleged discrimination occurred is not related to the El Paso MPO program or activity, every attempt will be made to establish the correct agency. Whenever possible and assuming consent was granted on the Consent/Release form, that is part of the complaint form, the complaint will be forwarded to the appropriate agency.

If the complaint is a transportation related discrimination complaint and the El Paso MPO or its sub-recipients are named as the respondent, then the complaint, if related to Texas transportation, shall be forwarded to TxDOT, Civil Rights Division, 125 E. 11th Street, Austin, Texas, 78701-2483 or if related to New Mexico transportation, to NMDOT Title VI Coordinator, 1570 Pacheco Street, Suite A10, Santa Fe, NM, 87505. Thereafter, the procedures will follow through as indicated here.

4. **Initial written notice to complainant:** Within 10 working days of the receipt of the complaint, El Paso MPO will send notice to the complainant confirming receipt of the complaint; if needed the notice will request additional information, notify complainant that the activity is not related to a El Paso MPO program or activity, or does not meet deadline requirements. Conclusions made in step three will determine the appropriate response to the complaint. If any additional information is needed from the complainant, it will be communicated at this point in the process. A copy of the written response, as well as the complaint form, will be forwarded to the to the appropriate DOT for informational purposes only.
5. **Investigation of complaint:** The Public Involvement Liaison will confer with the El Paso MPO Executive Director to determine the most appropriate fact finding process to ensure that all available information is collected in an effort to reach the most informed conclusion and resolution of the complaint. The type of investigation techniques used may vary depending on the nature and circumstances of the alleged discrimination. An investigation may include but is not limited to:
 - Internal meetings with El Paso MPO staff and legal counsel.
 - Consultation with state and federal agencies.
 - Interviews of complainant(s).
 - Review of documentation (i.e. planning, public involvement, and technical program activities).
 - Interviews and review of documentation with other agencies involved.
 - Review of technical analysis method (if applicable).

- Review of demographic data.
6. **Determination of investigation:** An investigation must be completed within 60 days of receiving the complete complaint, unless the facts and circumstances warrant otherwise. A determination will be made based on information obtained. The Public Involvement Liaison and the Executive Director or designee will render a recommendation for action, including formal and/or informal resolution strategies.
 7. **Notification of determination:** Within 10 days of completion of an investigation, the complainant must be notified by the El Paso MPO Executive Director of the final decision. The notification will advise the complainant of his/her appeal rights with state and federal agencies if he/she is dissatisfied with the final decision. A copy of this letter, along with the report of findings, will be forwarded to the to the appropriate DOT for information purposes.



Procedimiento de Quejas del Título VI

Como receptora de ayuda económica federal y dentro del Título VI de la Ley de Derechos Civiles de 1964 y los estatus vinculados al Título VI, La Organización Metropolitana de Planeación (MPO por sus siglas en ingles) de El Paso garantiza que ningún individuo quede excluido de la participación de, sea negado los beneficios de, o sea víctima de discriminación de ningún programa o actividad que reciba ayuda económica federal por motivo de su raza, color o nacionalidad. Todos los programas financiados por ayuda económica federal en forma parcial o total se encuentran sujetos a los requisitos establecidos en el Título VI. La Ley de Restauración de Derechos Civiles de 1987 extendió estos requisitos a todos los programas dentro de cualquier organismo que recibiese ayuda federal independientemente de la fuente de financiación para programas individuales.

El propósito de esta política es establecer un proceso según el cual los individuos que no son empleados en la MPO de El Paso puedan presentar quejas por discriminación por parte de disposiciones, servicios o actividades de la MPO de El Paso. Toda persona que crea haber sido víctima de discriminación ilegal, ya sea hacia su persona o hacia un colectivo de individuos específico, por parte de la MPO de El Paso o cualquier entidad que reciba ayuda económica federal de la MPO de El Paso o a través de este (como subreceptores, subcontratistas o subcesionarios), puede presentar una queja por discriminación. Al procesar quejas por discriminación en virtud del Título VI, la MPO de El Paso seguirá los plazos establecidos según la guía del Departamento de Transporte, la Administración Federal de Carreteras, La Administración Federal de Transporte Público y el Departamento de Justicia.

Periodo de presentación de la queja

La queja por discriminación debe presentarse dentro de los 180 días calendario de la presunta acción de discriminación o del descubrimiento de este último. En caso de que la conducta se haya manifestado en forma continua, a partir de la fecha en la que se haya interrumpido dicha conducta. Al presentar la queja por escrito debe estar sellada por el correo antes de la expiración del período de 180 días. Se considerará fecha de presentación al día en el que usted complete, firme y envíe el formulario de queja. Para que puedan aceptarse, el formulario de queja y el formulario de consentimiento deben estar fechados y firmados. Las quejas que se reciban una vez que hayan pasado más de 180 días después de la presunta discriminación no serán procesadas y se le reenviarán al reclamante junto con una carta que explique por qué la queja no ha podido procesarse y a qué agencias alternativas se puede dirigir un informe

Donde presentar la queja

Para procesar la queja, los formularios de quejas originales y firmados deben ser enviados o entregados en persona a:

Director Ejecutivo/Coordinador del Título VI
El Paso Metropolitan Planning Organization
211 N. Florence St., Suite 202
El Paso, TX 79901

Se podrán realizar adaptaciones razonables bajo pedido para los individuos que no se encuentren en condiciones de completar el formulario de queja debido a una discapacidad o a conocimientos limitados del idioma inglés. Asimismo, un representante del reclamante podrá presentar una queja en nombre de este último.

Individuos que no se encuentren satisfechos con la resolución de la MPO de El Paso podrán recurrir a otras agencias estatales o federales aplicables.

Requisitos de queja

Para que una queja pueda procesarse, debe ponerse por escrito e incluir la siguiente información: (véase Apéndice 3 del Programa del Título VI para formulario de queja o en la página de internet de la MPO de El Paso en www.elpasompo.org/TitleVI)

- Nombre, domicilio y número de teléfono del reclamante.
- Nombre(s), domicilio(es) y empresa(s)/organización(es) de la(s) presunta(s) víctima(s) de discriminación.
- Fecha del presunto acto(s) de discriminación.
- Motivo de la queja (por ejemplo: raza, color, nacionalidad)
- Una declaración de queja.
- Un formulario de consentimiento de divulgación firmado.

Proceso de revisión de quejas

A continuación, la descripción del proceso de como una queja discriminatoria será manejada una vez que es recibida por la MPO de El Paso:

1. **La MPO de El Paso recibe una queja por escrito:** Las quejas deben presentarse por escrito y estar firmadas por el reclamante o un representante designado por este último. Si el reclamante no se encuentra en condiciones de completar el formulario debido a una discapacidad o a conocimientos limitados del idioma inglés y solicita asistencia, se realizarán adaptaciones razonables para garantizar que la queja se reciba y se procese de manera oportuna. Los reclamantes que deseen presentar una queja y no dispongan de acceso a internet o no tengan la posibilidad de ir a recoger un formulario, recibirán un formulario de quejas por correo para que puedan completarlo.
2. **La queja se registra en una base de datos:** Los formularios de quejas se registrarán en la base de datos de quejas para realizar su seguimiento. En todas las quejas recibidas se conservarán los

datos básicos, que incluyen el nombre del reclamante, su información de contacto, el nombre y la organización de la persona(s) de la presunta discriminación, fecha en que ocurrió el presunto acto(s) discriminatorio, el motivo en el que se basa la queja por discriminación, y una descripción de la presunta acción discriminatoria.

3. **Revisión inicial:** La MPO de El Paso realizara una revisión inicial de la queja. El propósito de esta revisión es determinar si la queja cumple con los criterios básicos.

Criterios básicos de una queja completa:

- Motivo en el que se basa la queja por discriminación (raza, color, origen nacional)
- Determinación de que la queja ha sido presentada dentro de los 180 días calendario de la presunta acción de discriminación o del descubrimiento de este último
- El programa en el cual se presenta la presunta acción de discriminación será examinado para asegurar que el reclamante a entregado la queja a la agencia apropiada. Durante este proceso, si se ha hecho una determinación de que el programa o actividad de la presunta discriminación no es relacionada a un programa o actividad de la MPO de El Paso, se hará todo lo posible para establecer la agencia correcta. Siempre que sea posible y asumiendo que se otorgó el consentimiento en el formulario de Consentimiento, que es parte del formulario de queja, la queja se enviará a la agencia apropiada.

Si la queja es una queja de discriminación relacionada con el transporte y la MPO de El Paso o sus subreceptores son nombrados como el demandado, entonces la queja, si está relacionada con el transporte de Texas, se enviará a TXDOT, División de Derechos Civiles, 125 E. 11th Street, Austin, Texas, 78701-2483 o si está relacionado con el transporte de Nuevo México, al Coordinador de Título VI de NMDOT, 1570 Pacheco Street, Suite A10, Santa Fe, NM, 87505. A partir de entonces, los procedimientos seguirán como se indica aquí.

4. **Respuesta inicial por escrito:** Dentro de los 10 días siguientes a la recepción de la queja, la MPO de El Paso dará una respuesta inicial por escrito al reclamante para notificar que la queja se ha recibido. Incluido en la notificación se especificará si es necesaria información adicional, notificará al reclamante si la actividad no es relacionada a una actividad o programa de la MPO de El Paso, o si no cumple con los requisitos de la fecha límite. Las conclusiones realizadas en el paso 3 determinaran la respuesta apropiada al reclamante. Se enviará una copia de la respuesta escrita y del formulario de queja de discriminación a el Departamento de Transporte según corresponda, solo con fines informativos.
5. **Investigación de la queja:** El Especialista en el Título VI consultará con el Director de la MPO de El Paso para determinar cuál es el proceso de investigación más adecuado para garantizar que se reúna toda la información disponible y poder llegar a una conclusión y posterior resolución de la queja. El tipo de técnicas de investigación utilizadas variará en función del carácter y las circunstancias de la presunta discriminación. Una investigación puede incluir, entre otros:
 - Reuniones internas con el personal y los asesores jurídicos de la MPO de El Paso
 - Consultas con agencias estatales y federales.
 - Entrevistas con reclamante (s).

- Revisión de documentación (por ejemplo: planificación, participación del público y actividades del programa técnico).
 - Entrevistas y revisión de documentación con otras agencias involucrados.
 - Revisión de métodos de análisis técnico.
 - Revisión de información demográfica.
6. **Determinación de la Investigación:** La investigación debe finalizar dentro de los 60 días siguientes a la recepción de la queja completa, a menos que los hechos y las circunstancias hagan disponer algo diferente. Se tomará una determinación en base a la información obtenida. El especialista en el Título VI, el Director Ejecutivo y/o la persona designada presentará una recomendación sobre el curso de acción a seguir. La misma incluirá estrategias de resolución formales y/o informales en un informe de conclusiones.
7. **Aviso de Resolución:** Dentro de los 10 días siguientes a la finalización y resolución de una investigación, el Director Ejecutivo de la MPO de El Paso deberá informar la decisión final al reclamante. El aviso brindará información al reclamante sobre su derecho a apelar ante agencias estatales y federales en caso de no encontrarse satisfecho/a con la decisión final. Con fines informativos, se le enviará una copia de esta carta junto con un informe de los resultados de la investigación a el Departamento de Transporte.

APPENDIX C. TITLE VI COMPLAINT FORM

(Approved by the Transportation Policy Board on 12/11/2020)



Title VI Discrimination Complaint Form

Please read the information on the first page of this form carefully before you begin

1. First Name, Middle Initial, Last Name: _____

Street Address: _____

City: _____

State: _____ Zip Code: _____

Phone: _____ Email: _____

2. Who do you believe discriminated against you?

First Name, Middle Initial, Last Name: _____

Name of business/organization: _____

Position/Title: _____

Street Address: _____

City: _____

State: _____ Zip Code: _____

Phone: _____ Email: _____

Person's relationship to you: _____

3. When did the alleged act(s) of discrimination occur? Please list all dates applicable dates mm/dd/yyyy format.

Dates: _____

Is the alleged discrimination on-going? Yes____ No____

- 4. Where did the alleged act(s) of discrimination occur? (Attach additional pages as necessary.)**

Name of location: _____

- 5. Indicate the basis of your grievance of discrimination:**

- ☐ Race
- ☐ National Origin
- ☐ Color

- 6. Describe in detail the specific incident(s) that the basis(es) of the alleged discrimination. Describe each incident of discrimination separately. Attach additional pages as necessary.**

Please explain how other persons or groups were treated differently by the person(s)/agency who discriminated against you.

Please list and describe all documents, e-mails, or other records and materials pertaining to your complaint.

Please list and identify any witness(es) to the incidents or persons who have personal knowledge of information pertaining to your complaint.

Have you previously reported or otherwise complained about this incident or related acts of discrimination? If so, please identify the individual to whom you made the report, the date on which you made the report, and the resolution. Please provide any supporting documentation.

Please provide any additional information about the alleged discrimination.

- 7. If an advisor will be assisting you in the complaint process, please provide his/her name and contact information.**

First Name, Middle Initial, Last Name: _____

Name of business/organization: _____

Position/Title: _____

Street Address: _____

City: _____

State: _____ Zip Code: _____

Phone: _____ Email: _____

- 8. This complaint form must be signed and dated in order to address your allegations. Additionally, this office will need your consent to disclose your name, if needed, in the course of our investigation. The Discrimination Complaint Consent/Release form is attached. If you are filling a complaint of discrimination on behalf of another person, our office will also need this person's consent.**

I certify that to the best of my knowledge the information I have provided is accurate and the events and circumstances are as I have described them. I also understand that if I will be assisted by an advisor, my signature below authorizes the named individual to receive copies of relevant correspondence regarding the complaint and to accompany me during the investigation.

Signature(Firma): _____ Date (Fecha): _____



**Title VI Discrimination Complaint
Consent/Release Form**

Please read the information on the first page of this form carefully before you begin.

First Name, Middle Initial, Last Name: _____

Street Address: _____

City: _____

State: _____ Zip Code: _____

As a complaint, I understand that in the course of an investigation it may become necessary for the El Paso Metropolitan Planning Organization to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of the El Paso Metropolitan Planning Organization to honor requests under the Freedom of Information Act. I understand that as a complainant I am protected from retaliation from having taken action or participated in action to secure right protected by nondiscrimination statutes and regulations which are enforced by the Federal Highway Administration (FHWA) of the U.S. Department of Transportation.

Please check one:

- ☐ I CONSENT and authorize the El Paso Metropolitan Planning Organization (EPMPO), as part of its investigation, to reveal my identity to persons at the organization, business, or institution, which has been identified by me in my formal complaint of discrimination. I also authorize EPMPO to discuss, receive, and review materials and information about me from the same and with appropriate administrators or witnesses for the purpose of investigating this complaint. In doing so, I have read and understand the information at the beginning of this form. I also understand that the material and information received will be used for authorized civil rights compliance activities only. I further understand that I am not required to authorize this release and so so voluntarily.
- ☐ I DENY CONSENT to have the El Paso Metropolitan Planning Organization (EPMPO), reveal my identity to persons at the organization, business, or institution under investigation. I also deny consent to have EPMPO disclose any information contained in the complaint with any witnesses I have mentioned in the complaint. In doing so, I have read and understand the information at the beginning of this form. I further understand that my decision to deny consent may impede this investigation and may result in the unsuccessful resolution of my case.

Signature(Firma): _____ Date (Fecha): _____