



**Williamsburg Area Transit Authority (WATA)
Title VI Program**

Federal Fiscal Years 2024 to 2026

RECIPIENT INFORMATION

RECIPIENT: Williamsburg Area Transit Authority (5719)

DRAFT SUBMITTAL DATE: 9/13/2024

PERIOD OF PERFORMANCE: 10/1/2024 to 9/30/2026

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I. TITLE VI POLICY STATEMENT

The Williamsburg Area Transit Authority (the "Authority") is committed to ensuring that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Authority-sponsored program or activity, whether such programs and activities are federally funded or not.

The objectives of the Authority's Title VI Program are:

- 1. Ensure that the level and quality of public transportation service is provided in a nondiscriminatory manner;
- 2. Promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- 3. Ensure meaningful access to transit-related programs and activities by persons with limited English proficiency.

Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, or national origin, may file a complaint in accordance with the Authority's Title VI Program.

The Board of Directors hereby acknowledges the receipt of the WATA Title VI Program for the period of Federal Fiscal Year 2024 to 2026. I have reviewed and approve the Program and am committed to ensuring that no person is excluded from participation in or denied the benefits of WATA transportation services on the basis of race, color, or national origin, as protected by Title VI.



Chair, WATA Board of Directors

9/18/24

Date

RESOLUTION #R25-08

**ADOPTION OF THE WILLIAMSBURG AREA TRANSIT AUTHORITY TITLE VI PLAN
AND PROCEDURES - FY 2024-2026**

WHEREAS, the Board of Directors of Williamsburg Area Transit Authority (WATA) is a recipient of Federal revenues and is required to meet federal regulatory requirements for the Title VI, established by 49 C.F.R. part 21.7; and

WHEREAS, the Federal Transit Administration (FTA) requested that WATA provide a Title VI Program update every three years that ensures that no person or group of persons on the basis of race, color, or national origin is subjected to discrimination in the level and quality of transportation services and benefits and that steps are taken to ensure that persons with Limited English Proficiency are provided these rights; and **WHEREAS**, select positions are recommended to a new grade level for the same purpose of recruiting and retaining talent;

WHEREAS. WATA developed an updated Title VI Plan based on best practices that meet FTA Guidelines.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Williamsburg Area Transit Authority that the Revised Williamsburg Area Transit Authority Title VI Plan and Procedures FY 2024-2026 presented is hereby adopted.



Michele Mi:xner DeWitt
Chair

ATTEST:



Matthew Scalia
Secretary

Adopted by the Board of Directors of the Williamsburg Area Transit Authority this 18th day of September 2024.

II. TITLE VI COMPLIANCE AUTHORITY

Statutory Authority

Section 601 of Title VI of the Civil Rights Act of 1964 states 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 receiving Federal financial assistance.

The Civil Rights Restoration Act of 1987 extended the application of Title VI to all operations of covered entities regardless of whether a specific program or activity is Federally-funded.

Regulatory Authority

Regulations implementing Title VI under authority of the United States Department of Justice (DOJ) can be found at 28 CFR § 42.401 and 28 CFR § 50.3. Title VI implementing regulations under the U.S. Department of Transportation (DOT) are found at 49 CFR Part 21. All programs receiving financial assistance from the Federal Transit Administration (FTA) are subject to Title VI of the Civil Rights Act of 1964. In order to assist in compliance, agencies such as DOT issue guidelines to funding recipients to provide detailed information on the requirements of Title VI. Current guidelines for Title VI requirements are contained in FTA Circular 4702.1B with most current revision date of October 1, 2012.

Additional Requirements

Each fiscal year when federal transit funding is provided, WATA is required by the Federal Transit Administration (FTA) to complete Certifications and Assurances that include a certification that the recipient will comply with all Federal statutes relating to nondiscrimination, which includes Title VI of the Civil Rights Act of 1964. Upon acceptance of federal transit funding, WATA agrees to FTA's Master Agreement that requires compliance with all provisions prohibiting discrimination on the basis of race, color, or national origin.

III. TITLE VI PROGRAM GENERAL REQUIREMENTS

Title 49 CFR § Section 21.9(b) requires recipients of Federal financial assistance to “keep such records and submit to the Secretary timely, complete, and accurate compliance reports at such times and in such form and containing such information, as the Secretary may determine to be necessary to enable him to ascertain whether the recipient has complied for is complying with this part.” The FTA implements this rule by requiring recipients to develop and submit a Title VI Program to the regional civil rights officer. The Program must be submitted once every three years, or as otherwise directed by FTA. The Program must be approved by the recipient’s governing body or official responsible for policy decisions prior to submittal to FTA.

As found in FTA Circular 4702.1B, the following information must be included in every Title VI Program. Please note the location of such information in WATA’s Title VI Program.

- (1) A copy of the recipient’s Title VI notice to the public that indicates the recipient complies with Title VI and informs members of the public of the protections against discrimination afforded to them by Title VI. Include a list of locations where the notice is posted. **See Appendix A of this Program.**
- (2) A copy of the recipient’s instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form. **See Appendix B.**
- (3) A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission. This list should include only those investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs and that pertain to the recipient submitting the report, not necessarily the larger agency or department of which the recipient is a part. **See Appendix C.**
- (4) A public participation plan that includes an outreach plan to engage minority and limited English proficient (LEP) populations, as well as a summary of outreach efforts made since the last Title VI Program submission. A recipient’s targeted public participation plan for minority populations may be part of efforts that extend more broadly to include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others. **See Appendix D.**
- (5) A copy of the recipient’s plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance. **See Appendix E.**
- (6) Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils. **See Appendix F.**
- (7) Primary recipients shall include a narrative or description of efforts the primary recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions. **See Appendix G.**

- (8) If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility. **See Appendix H.**
- (9) Additional information depending on whether the recipient is a fixed route transit provider, a State, or an MPO.

The Executive Director is responsible for coordinating the overall administration of the Title VI Program to ensure that WATA meets these requirements and the purpose of the Program.

IV. TITLE VI REQUIREMENTS OF FIXED ROUTE TRANSIT PROVIDERS

A. Service Standards and Policies

WATA plans and delivers transportation services in an equitable manner. This means the distribution of service levels and quality is to be equitable between minority and low income populations and the overall population. WATA has reviewed its services and policies to ensure that those services and benefits are provided in an equitable manner to all persons.

Service Standards

The Authority has set standards and policies that address how services are distributed across the transit system service area to ensure that that distribution affords users equitable access to these services. The agency's routes are shown in a map in Appendix I. Service routes are determined through the annual service plan, surveys, public hearing, advisory committee, and jurisdictional requests. WATA's services are available without regard to race, color, or national origin.

The following system-wide service standards are used to ensure services are provided equitably to all persons in the service area, regardless of race, color, or national origin.

Fixed-Route Services:

- **Vehicle Load** - Vehicle load is expressed as the ratio of passengers to the total number of seats on a vehicle at its maximum load point. The standard for maximum vehicle load is between 1.0 (off peak) and 1.2(peak) depending on the fleet design and WATA's services meet these standards.
- **Vehicle Headway** - Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given route. A shorter headway corresponds to more frequent service. WATA's standard for vehicle headways is a minimum of 60 minutes. All of WATA fixed-route services provide a headway of 60 minutes or better.
- **On-Time Performance** - On-Time Performance is a measure of system reliability. "On Time" is defined as when a vehicle departs a stop zero (0) minutes ahead of schedule and no later than five (5) minutes past the scheduled time. The standard for on-time performance is 90% and all WATA's services meet this standard.
- **Service Availability** - Service availability is a general measure of the distribution of routes within a transit provider's service area or the span of service. The standard for service availability is Monday thru Saturday 6 am to 9 pm and Sunday 8 am to 6 pm. All WATA's services meet this standard.

Paratransit Services:

- **On-time Performance** - On-Time Performance is a measure of system reliability. For paratransit services, "On Time" is defined as a 10-minute window before or a 20-minute window after the scheduled time. The standard for on-time performance is 90% and all WATA's services meet this standard.
- **Service Availability** - Service availability is a general measure of the distribution of routes within a transit provider's service area or the span of service. The standard for service availability is

Monday thru Saturday, 6 am to 9 pm, and Sunday, 8 am to 6 pm. All WATA's services meet this standard.

Service and Operating Policies

The WATA service and operating policies also ensure that operational practices do not result in discrimination on the basis of race, color, or national origin.

- **Distribution and Siting of Transit Amenities** - Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. WATA's policy is to ensure the equitable distribution of transit amenities across the system. This policy applies to seating (i.e., benches, seats), bus shelters and canopies, (c) provision of information, Intelligent Transportation Systems (ITS), and waste receptacles (including trash and recycling). Passenger amenities site selections are based on ridership levels and are further evaluated by jurisdictional requests and needs. All transit amenity decisions are determined regardless of race, color, or national origin.

In the placement of WATA's shelters and amenities, WATA's practice is to ensure the locations of these assets will create the greatest benefit for its customers, regardless of race, color, or national origin. WATA's primary factor in selection of transit amenities occurs at the stops that have the highest utilization; however, other factors may be considered.

In the distribution of passenger shelters and amenities these assets are to be provided at WATA bus stops where warranted by existing conditions which may include, boarding passenger counts, passenger wait time, bus stop situation, exposure to weather conditions, servicing, or which provide access to services for special needs populations, and the facility or land use being served.

In the distribution of transit amenities, some sites that would otherwise make a good bus shelter location may not accommodate a shelter due to physical limitations. The following example standards address the placement of shelters:

The feasibility of installing a shelter will be determined by site-specific physical limitations and easements. All bus stops will be considered for a passenger shelter or bench provided there is available space and the physical features of the area will allow for installation and safe access. Shelter placement is also dependent upon the agreement of affected property owners and compliance with local government ordinances, building codes, and ADA requirements.

- **Vehicle Assignment** - Vehicle assignment refers to the process by which transit vehicles are placed into service and on routes throughout the system. WATA assigns vehicles with the goal of providing equitable benefits to minority and low income populations. Vehicles are assigned with regard to service type (fixed-route, demand-response, or a hybrid type) and ridership demand patterns (routes with greater numbers of passengers need vehicles with larger capacities). For each type of assignment, newer vehicles are rotated to ensure that no single route or service always has the same vehicle. The Executive Director updated on vehicle assignments on a monthly basis to ensure that vehicles are indeed being rotated and that no single route or service always has the old or new vehicles.

The chart below outlines the assignment of buses per route. The 35' buses do not operate on certain routes due to the turning radius of the road.

Route	Peak Buses*	Bus Length
1	2	40'
2	2	40'
3	1	35'
4	1	35'
5	2	35'
6	2	30'
7	1	35'
8	1	30'
9	1	30'
11	1	30'
12	2	35'
15	3	40

B. Fare and Service Changes

WATA follows its adopted written policy for the public comment process for major service reductions and fare increases. With each proposed service or fare change, WATA considers the relative impacts on, and benefits to, minority and low income populations, including LEP populations. All planning efforts for changes to existing services or fares, as well as new services, have a goal of providing equitable service.

APPENDIX A – TITLE VI NOTICE TO THE PUBLIC

List of Locations

- **WATA revenue fleet;**
- **The storefront located at the Williamsburg Transportation Center;**
- **The main office located at 7239 Pocahontas Trail;**
- **WATA website.**

Below is the language included in the Title VI Notice to the Public. This notice will be provided in any other languages spoken by Limited English Proficient populations in sufficient number as to meet the Safe Harbor Threshold (5% of the population, or 1,000 people, whichever is less).

Your Rights Under Title VI of the Civil Rights Act:

The Williamsburg Area Transit Authority (WATA) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its services on the basis of race, color, or national origin as provided by Title VI of the Civil Rights Act of 1964, as amended.

No person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of transportation services furnished by WATA on the basis of race, color, or national origin, nor shall frequency of service, age and condition of vehicles assigned to routes, or location and quality of transit facilities be determined on the basis of race, color, or national origin.

Any persons who believe they have been discriminated against on the basis of race, color, or national origin may file a complaint with WATA. In order to file a complaint, or for more information on WATA's civil rights program, please contact:

*Williamsburg Area Transit Authority
Attn: Title VI Coordinator
7239 Pocahontas Trail
Williamsburg, VA 23185
(757) 220-5493
titlevi@gowata.org*

APPENDIX B – TITLE VI COMPLAINT PROCEDURES

Any person who believes he/she has been discriminated against on the basis of race, color, or national origin by the Williamsburg Area Transit Authority (WATA) may file a Title VI complaint by completing and submitting the Title VI Complaint form to the address indicated on the form. A formal complaint must be filed no more than 180 days after the alleged incident.

- A. The following steps will be taken to resolve Title VI complaints:
1. Once a complaint form is received by the Title VI Coordinator, it will be reviewed to determine whether the Authority has jurisdiction and whether the incident is covered under Title VI. The complainant will receive an acknowledgment letter by mail within fifteen (15) business days stating whether the complaint is covered and/or if more information is needed for a Title VI investigation to proceed.
 2. If the decision is that the Authority does not have jurisdiction, the letter will state the reason for this determination.
 3. If the Authority has jurisdiction and additional information is needed, the complainant will have sixty (60) business days to send the requested information to the investigator. If the information is not received within this time period, the Title VI Coordinator may administratively close the case.
 4. Every effort will be made to obtain early resolution of complaints at the lowest level possible and informal mediation between the complainant and WATA may be utilized for resolution.
 5. The Title VI Coordinator will investigate complaints for which there is sufficient information. The completed investigation will result in either a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that a Title VI violation could not be established and that the case will be closed. An LOF summarizes the allegation and the investigative steps taken and explains what type of corrective action was recommended. The closure letter or LOF will be issued within ninety (90) days from receipt of the complaint.
 6. If the complainant is dissatisfied with WATA's resolution of the complaint, he/she has the right to file a complaint with the:

Federal Transit Administration Office of Civil Rights
Title VI Program Coordinator
East Building, 5th Floor – TRC
1200 Jersey Ave, SE
Washington, DC 20590

B. The following language is posted on WATA's website under About Us ⇨ Title VI:

The following information is in English. If information is needed in another language, please contact 757-220-5493. Also, this website uses Google Translate, which can be found in the lower right corner.

La siguiente informacion esta en ingles. Si se necesita informacion en otro idioma por favor contactar 757-220-5493. Tambien este sitio web ofrece el traductor de Google que se puede encontrar en la esquina inferior derecho. (Spanish_

Any individual may exercise his or her right to file a complaint with WATA if that person believes that he or she has been subjected to unequal treatment or discrimination in the receipt of benefits or services.

A formal complaint must be filed within 180 days of the alleged occurrence. Complaints should be in writing and signed by the individual or his/her representative, and will include the complainant's name, address, and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin) and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

*In order for the complaint to include all the necessary information, it is recommended to file your complaint in writing using the **WATA Title VI Complaint Form**, and sending it to:*

*Mail: Williamsburg Area Transit Authority
Attn: Title VI Coordinator
7239 Pocahontas Trail
Williamsburg, Virginia 23185*

Email: titlevi@gowata.org

*Please see the following link for more information on **WATA's Title VI Complaint Procedure**.*

An individual may also file a complaint directly with the Federal Transit Administration at: FTA, Office of Civil Rights, Attn: Title VI Program Coordinator, 1200 New Jersey Avenue SE, Washington, DC 20590

C. Additional information about FTA complaint procedures can be found on FTA's web site at www.fta.dot.gov and outlined in FTA Circular 4702.1B (latest revision October 1, 2012).



Title VI Complaint Form

The Williamsburg Area Transit Authority is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended.

The following information is necessary to assist us in processing your complaint. If you require assistance in completing this form or need further information about the Title VI program, please contact WATA by calling (757)220-5493. The completed form must be returned to WATA via email at TitleVI@gowata.org, OR by mail to: WATA, ATTN::Title VI Coordinator, 7239 Pocahontas Trail, Williamsburg, VA 23185. **Title VI complaints must be filed within 180 days from the date of the alleged discrimination.**

1. Name (Complainant):	
2. Phone:	3. Home Address (street no., city, state, zip):
4. If applicable, name of person(s) who allegedly discriminated against you:	
5. Location and position of person(s) if known:	6. Date of incident:
7. Discrimination on the basis of: <input type="radio"/> Race <input type="radio"/> Color <input type="radio"/> National Origin	
8. Explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Also, attach any written material pertaining to your case.	

9. Why do you believe these events occurred?

10. What other information do you think is relevant to the investigation?

11. How can this/these issue(s) be resolved to your satisfaction?

12. Please list below any person(s) we may contact for additional information to support or clarify your complaint (witnesses):

Name:

Address:

Phone number:

13. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court?

Yes

No

If yes, check all that apply:

Federal agency

Federal court

State court

Local agency

State agency

If filed at an agency and/or court, please provide information about a contact person at the agency/court where the complaint was filed.

Agency/Court:

Contact's Name:

Address:

Phone number:

Signature (Complainant):

Date of filing:

APPENDIX C – TITLE VI INVESTIGATIONS, COMPLAINTS, OR LAWSUITS

WATA prepares and maintains a list of any of the following that allege discrimination on the basis of race, color, or national origin using the table below, including:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

There have been no Title VI complaints, lawsuits or investigations involving WATA in the past three (3) years, 2022 to 2024.

	Date (Month, Day, Year)	Summary (i.e., basis of complaint: race, color or national origin)	Status	Action(s) taken
Investigations:				
1.				
Lawsuits:				
1.				
Complaints:				
1.				

APPENDIX D – TITLE VI PUBLIC PARTICIPATION PLAN

The Williamsburg Area Transit Authority (WATA) is required to ensure that its programs and services, even those implemented in a facially neutral manner, are not discriminatory on the basis of race, color, or national origin. One means to accomplish this is to promote inclusive participation from the public, especially minority and Limited English Proficient (LEP) populations.

A review of the 2020 American Community Survey shows the largest single demographic populations in WATA's service area are about 75% White, 16% Black or African-American, and 8% Hispanic or Latino. WATA has traditionally had a close partnership with the agencies and institutions that serve the minority populations of the area and plans to continue that moving forward.

The following measures are ongoing and will be continued to promote inclusive participation from members of the public:

1. The WATA Title VI Notice to the Public is posted on revenue vehicles in languages that are subject to the Safe Harbor threshold. The Notice will also continue to be posted at a WATA storefront location at the Williamsburg Transportation Center. Seven (7) WATA routes meet at that location every hour. Over the next triennial period, WATA is developing a transfer center location and public notices will be posted there as well.
2. The WATA website contains the Notice to the Public in languages covered by the Safe Harbor threshold. WATA will also continue to post public hearings and meetings on its website. The WATA website contains an application that will translate site text into virtually any language. The website has also been reviewed for accessibility and includes accessibility features.
3. WATA will continue to participate on all of the popular social media platforms and regularly update information and include notices of public hearings and public meetings.
4. Meetings will continue to be scheduled at locations that are located on core WATA service routes. Also, special meetings are scheduled in areas or along routes when changes are proposed that may have impacts in a specific area.
5. WATA will continue to work with our local governments, especially the areas of human services, schools, and emergency services. Ongoing examples of this participation include job fairs, cultural fairs, and various community/recreation events such as National Night Out.
6. The WATA transit advertising program will continue to work with non-profit and public human service agencies on public service announcements, as well as working on advertising for minority-owned businesses.

7. WATA will continue to perform outreach to encourage participation by Disadvantaged Business Enterprises (DBEs) in WATA contracts
8. During the years of FY2022 through FY2024, WATA participated in a number of outreach events:

Annual

- W&M Orientation Week
- Free fare for Transit Equity Day
- Free fare for Earth Day
- Free fare on election days
- Greater Williamsburg Chamber of Commerce Christmas Parade
- Job Fairs in the Greater Williamsburg and Hampton Roads Area
- Discover Transit Month with Virginia Department of Transportation (Social Media Campaign)
- AVAdventure Productions Great Williamsburg Adventure Race
- WATA Bike to Work Day
- WATA School Supply Drive

2022

- Live Well Expo -- James City County
- Chickahominy Community Event
- James City County Social Services Community Wellness Fair
- WATA Back to School Drive
- James City County Parks and Recreation Harvest Festival
- James City County Parks and Recreation Disability Awareness Trick or Treat
-

2023

- W&M Homecoming Parade
- City Williamsburg National Night Out
- State of Transit: Transit Means Business (with Hampton Roads Transit and Suffolk Transit)

2024

- WATA 101 with Lafayette High School students
- W&M Sustainability Fair (student meet, swag giveaway)
- 2024 Transit Advocacy Day (with Virginia Transit Association)
- WATA DBE Business Community Outreach Event

During this period, WATA also started the process of creating its first Transit Strategic Plan. Virginia Department of Rail and Transportation (DRPT) requires that large public transportation agencies (agencies that serve 50,000 people or more and operate a fleet of 20 or more buses) develop a Transit Strategic Plan (TSP) to ensure that services are planned in a way that meets the mobility needs of communities throughout the state. WATA hosted five in-person/virtual sessions and two surveys for stakeholders and the public to voice their opinions on what WATA's service should look like in the next 10 years. The plan was approved by WATA's Board of Directors in July 2024.

APPENDIX E – TITLE VI LIMITED ENGLISH PROFICIENCY PLAN

As a recipient of federal financial assistance, WATA is required to ensure that Limited English Proficient (LEP) persons can effectively participate in or benefit from WATA programs and activities. This requirement flows from Title VI of the Civil Rights Act of 1964 and Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” issued on August 11, 2000.

An LEP person is an individual for which English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes persons who reported to the United States Census that they speak English less than very well, not well, or not at all.

The U.S. Department of Transportation (DOT) has issued guidance for funding recipients concerning responsibilities to LEP persons. The guidance outlines four factors to be applied in assessing language needs and deciding what reasonable steps should be taken to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to people’s lives.
4. The resources available to the recipient and costs

A. Four Factor Analysis

1. **The number or proportion of LEP persons eligible in the WATA service area who may be served or likely to encounter a WATA program, activity, or service.**
 - a) A review of census data in the 2019 American Community Survey and of data in the Remix planning platform results in an estimate of 3.3% of persons eligible to be served are LEP.
 - b) The Spanish language has the highest percentage of LEP that are likely to encounter WATA services. Spanish exceeds the threshold set in the Safe Harbor Provision that requires the translation of vital documents in the WATA service area (*5% of service population or 1,000 persons, whichever is less*).
 - c) The presence of several internationally recognized institutions – Colonial Williamsburg, Busch Gardens, and the College of William & Mary – bring many international visitors and residents to the area.
 - d) A portion of LEP persons in the area are small business owners that are not likely to utilize WATA’s service.

2. The frequency with which LEP persons come into contact with the program, activity, or service.

- a) As a number of LEP persons are in the area for employment or higher education, they are likely to encounter WATA services at least several times per week.
- b) Potential LEP persons using the WATA network are normally in a group traveling to the same place of employment or educational institution and there is a strong possibility that a member or members of the group are not LEP. Thus, there have not been many instances of language assistance being needed.

3. The nature and importance of the program, activity, or service provided by WATA to the LEP community.

- a) The WATA network transports many potential LEP persons to employment or school.
- b) LEP persons may not likely have personally owned vehicles.

4. The resources available to WATA and costs.

- a) Information technology has greatly decreased the resources needed to easily communicate with LEP persons. Translation of vital documents can be provided in programs such as Microsoft Word almost immediately. WATA's website also includes the functionality of Google Translate which will immediately change the website text to the chosen language.
- b) Potential LEP persons using the WATA network are normally in a group traveling to the same place of employment or educational institution and there is a strong possibility that a member or members of the group are not LEP. Thus, there have not been many instances of language assistance being needed.
- c) The WATA network is not large and LEP persons may feel comfortable that they can arrive at their destination without having to ask for assistance.

B. Language Assistance Plan

- 1. The Four Factor Analysis shows that WATA services can be an important resource to LEP persons. However, the LEP persons that are most likely to use WATA services are in the area for a specific reason (work or education) and have a support network in place.
- 2. The advent of mobile smartphone technology allows for persons that speak and read virtually any language to have translation services available on demand. This may result in LEP persons being able to overcome a language barrier without having to request assistance.
- 3. Census data and local knowledge indicates that the language group most represented in the LEP population is Spanish speakers.

This language group both meets the threshold for the Safe Harbor Provision that requires the translation of vital documents.

4. WATA will translate vital documents into Spanish to meet the Safe Harbor Provision. Translation to this language and others is available on WATA's website in the "Select Language" drop-down menu that appears on every page. Public notices, meetings, and alerts are placed on the website and can be accessed by LEP Persons in their preferred language.
5. WATA will utilize services such as Language Line Solutions (www.language.com) when needed for verbal translation services. WATA staff are provided access to a language identification guide (i.e., "I Speak" cards) that allow an LEP person to point out the language in which they are fluent. WATA staff can then relay this information to the translation service.
6. Transit operators are provided with documentation on the vehicle that includes the "I Speak" cards and walks the operator through the language assistance process.

APPENDIX F – MINORITY REPRESENTATION ON ADVISORY BODIES

WATA includes an advisory body, named the WATA Advisory Committee (WAC), as part of its community involvement. Title VI regulations requires WATA to provide a table listing the racial breakdown of the members of the advisory body.

The Bylaws of the Williamsburg Area Transit Authority's Board of Directors states:

Advisory Committee. The Board may establish, by majority vote, an advisory committee of citizens consisting of an amount determined by the Board, with minimum representation being no less than five (5) citizens. The Advisory Committee shall make recommendations to the Board, but action may only be taken by the Board itself. Representatives from the private sector, the disabled community, a student from the College, and a person 19 years old or younger shall be among those persons appointed. At least one person living or working in each of the localities which are member organizations shall be appointed. A representative of the National Park Service and one at-large representative may also be appointed. The Committee shall meet no less than four times per year, elect its own officers, and be supported by the Authority staff. The chair of the Advisory Committee or his/her representative shall serve as a liaison to the Board.

On October 18th, 2023, Resolution #R24-14, Formation of the WATA Advisory Committee, was adopted by the Board of Directors. The Resolution reads:

WHEREAS, citizen input is critical to making well-informed decisions regarding public transportation in the Williamsburg area; and

WHEREAS, the Bylaws of the Williamsburg Area Transit Authority allow the Board of Directors to establish an advisory committee of citizens to make recommendations to the Board.

WHEREAS, the Bylaws of the Williamsburg Area Transit Authority allow the Board of Directors to establish an advisory committee of citizens to make recommendations to the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Williamsburg Area Transit Authority does hereby authorize the formation of the WATA Advisory Committee as described herein:

A. Purpose: The WATA Advisory Committee will work cooperatively with community partners and WATA to improve and increase the use and value of public transportation to the area.

B. Membership:

1. Representatives for the following shall be appointed by the Board:

- One (1) representative from the private sector;
- One (1) representative who is a William & Mary student;
- One (1) representative who is 22 years old or younger;
- One (1) representative who is a person with a disability;
- One (1) representative who lives or works in the City of Williamsburg;
- One (1) representative who lives or works in the York County;
- One (1) representative who lives or works in James City County;

APPENDIX G – MONITORING SUBRECIPIENTS FOR TITLE VI COMPLIANCE

WATA is required to ensure that subrecipients of Federal financial assistance are in compliance with Title VI regulations. If a WATA subrecipient is not in compliance with Title VI requirements, then WATA is also deemed to not be in compliance.

- A. The following steps will be taken to ensure that subrecipients are in compliance with Title VI regulations:
 - 1. Any subrecipient funding agreement will include the requirement that the subrecipient will have or develop a Title VI Program and submit it to WATA for approval. WATA can assist the subrecipient to in developing a program if one does not already exist.
 - 2. The subrecipient will also agree to adopt WATA's Title VI complaint procedure.
 - 3. WATA will hold meetings with the subrecipient on a monthly basis to discuss project implementation, including regulatory compliance.
 - 4. The subrecipient will notify WATA whenever a complaint has been received and will verify if the subrecipient has jurisdiction to address the complaint. The subrecipient will provide a copy to WATA of all correspondence that is sent in responding to the complaint.
 - 5. Failure to implement the Title VI Program would be considered a violation of the subrecipient agreement and WATA may use any remedies available to enforce compliance.
- B. WATA does not currently have any subrecipients and does not anticipate having any during the period covered by the Title VI Program submission.

APPENDIX H – TITLE VI EQUITY ANALYSIS – NEW FACILITY

The siting or location of new transit facilities are required to comply with Title VI in two ways. Title 49 CFR Section 21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin.” Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.”

The following facility(ies) was the subject of a Title VI Equity Analysis:

Project Name: Administration and Maintenance Facility

Project Location: 7239 Pocahontas Trail, Williamsburg, VA 23185

The Title VI Equity Analysis for the project location is attached.

Title VI Equity Analysis:
WATA Maintenance, Operations, and
Administrative Facility



MAY 2020

Prepared By:

Kimley»»Horn

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INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. This analysis was conducted in compliance with Federal Transit Administration (FTA) Circular 4702.1B, which requires any FTA recipient with a service area population of 200,000 or greater to evaluate any fare change and/or any major service change at the planning and programming stages to determine whether those changes have a discriminatory impact. This document is an analysis of the Williamsburg Area Transit Authority's (WATA) proposed site development/expansion of the current maintenance, operations, and administration (MOA) facility.

BACKGROUND AND PURPOSE

WATA provides service to the Williamsburg area (including parts of James City County, Surry County, and York County). WATA's current MOA facility is located at 7239 Pocahontas Trail in Williamsburg, Virginia (**Figure 1**).

WATA is proposing to modify and expand the facilities on the site of their existing transit headquarters to accommodate immediate needs as well as future growth for 40 years and beyond. The conceptual site plan and space program have been developed and refined through multiple studies conducted by WATA. The current facility is owned by the Colonial Williamsburg Foundation (CWF), who lease portions of the site to WATA for administrative space. The current facility does not sufficiently meet the existing service demands of the combined WATA and CWF operations. Additionally, the existing facility lacks the necessary space for staff to manage the agency's expanding operations, accommodate the bus fleets' needs for vehicle maintenance, and allow for future expansion and facility enhancements.

Figure 1. Existing WATA MOA Facility



In addition to insufficient office space, security poses a concern at the current facility with employee and visitor parking mixed with bus staging/fleet storage. The administrative building is also not compliant with ADA regulations, as it does not have elevator access to second-floor office space.

PREVIOUS STUDIES

WATA has completed three studies providing documentation on projected growth and constraints at the site:

- Williamsburg Area Transit Authority Transit Operations and Maintenance Facility Feasibility Study (2010) -- this study examined several alternatives for location of an expanded facility and determined retrofitting and further developing the existing WATA site would be the most cost-efficient option for addressing insufficiencies in the current facility since the existing site also provides the opportunity to phase construction as funding becomes available and fleet/staff expansions become a reality.
- Williamsburg Area Transit Authority Facility Analysis Update (2015) -- this study further developed the recommendations from the 2010 study by providing a preferred alternative for the site configuration.
- Williamsburg Area Transit Authority Facility Conceptual Site Plan (2017) – this effort focused on supporting WATA in planning the development, design, and implementation of improvements to WATA’s MOA facility.

PREFERRED ALTERNATIVE

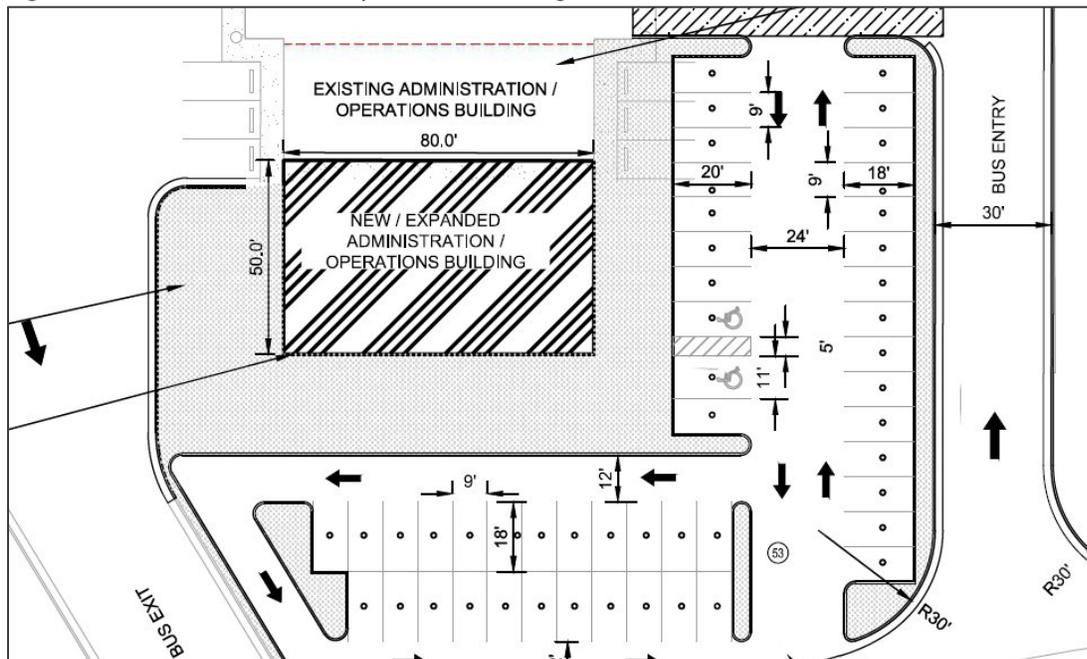
The final preferred alternative for WATA’s MOA facility includes:

- Construction of a new administration and operations building immediately adjacent to the southeast side of the existing administrative building. This building is described further in the following sections.
- Phased modifications and expansions to the existing WATA building for maintenance operations, including additional bus bays (some to be compliant with current CNG standards) to the northwest of the existing maintenance facility, in the location of the current bus fueling area. The maintenance facility area is described further in the following sections.
- Relocation of the existing bus fueling area to the far northwest side of the bus drivers' lounge.
- The existing bus drivers' lounge building will remain in place but may be renovated to include a secure fare collection and storage area.
- Construction of a new bus wash facility or renovation of existing bus wash facility.
- Designated employee parking and visitor parking areas. A landscaped, fenced-in lot will be provided adjacent to the administrative building for visitors and supervision vehicles. All staff, including admin, operators, and maintenance, will park in the back parking lot (which will be restriped to increase safety and efficiency of parking).

New/expanded administration and operations building

A proposed site design shows a new administrative building constructed immediately adjacent to the existing building. The building would be two stories with elevators offering access to the second floor of the older/original building, meeting ADA requirements. The purpose is to provide a larger space for current administrative and operations personnel, projected staffing needs, current/future storage needs, and adequate work space while the original building is being renovated. **Figure 2** below shows a concept site plan for the proposed new administrative and operations building.

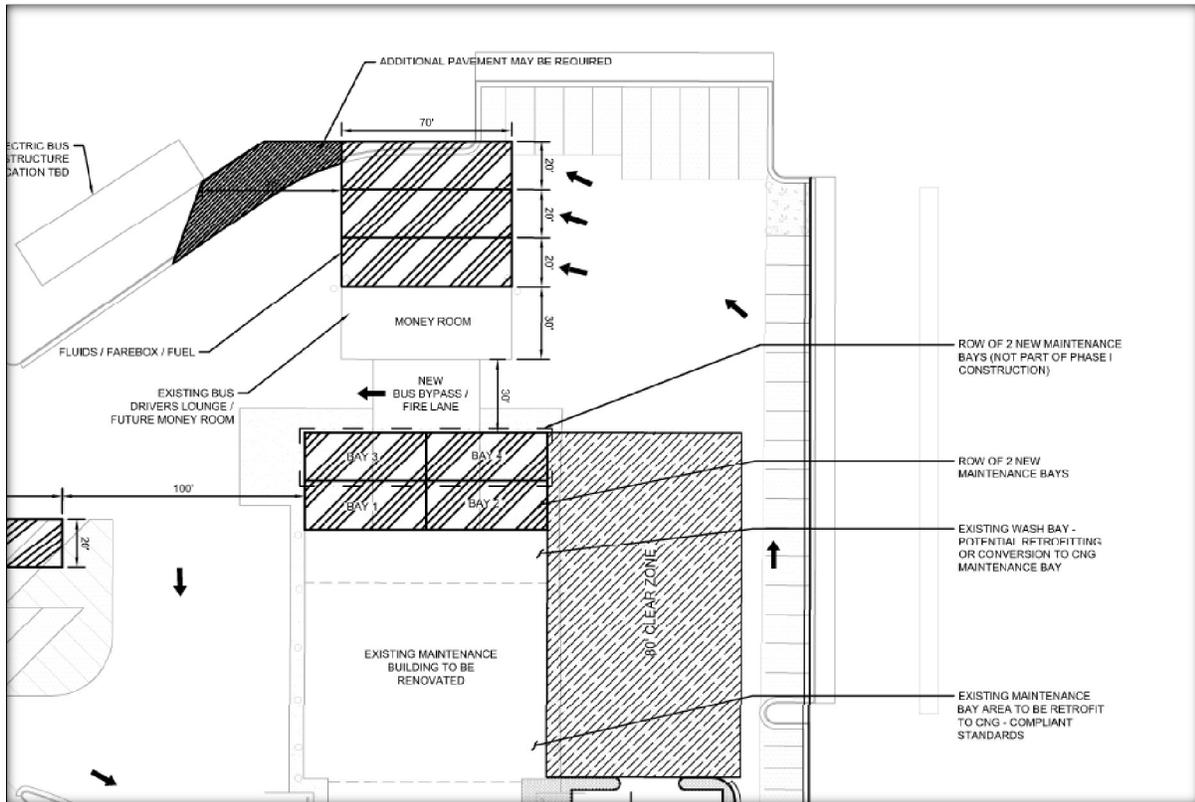
Figure 2. New Administrative/Operations Building



Modified/Expanded Maintenance Facility

There is a need to increase the number of bays for servicing vehicles. WATA has forecasted a need for 145 total vehicles by 2060 which would result in the need for at least 10 total vehicle bays. The conceptual site plan shows an expanded existing maintenance building to the north and west to create more bays. This expansion would be in the location of the existing fueling area, which would need to be relocated. On the northeast side of the maintenance building, an 80' clear area would be provided to allow safe bay entry and exit for the buses. The expanded bays represent a total area of 4,000 SF. **Figure 3** shows a concept site plan for the proposed expanded maintenance building.

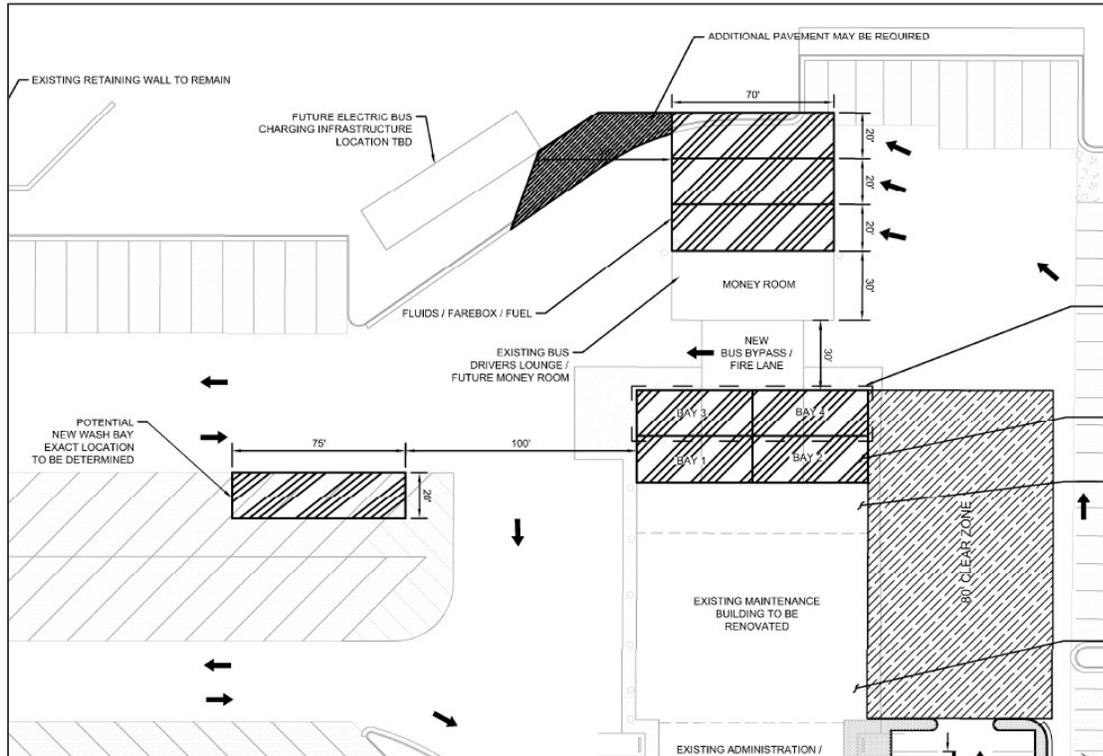
Figure 3. Expanded Maintenance Facility and Relocated Bus Fueling Area



New Wash Facility/Area

The new wash facility is proposed to be separate from the existing maintenance building, with the recommended location being behind the existing building. The proposed wash facility is 75' long with a clear area in front for safe vehicle entry/exit. **Figure 4** shows a concept site plan for the proposed new wash facility.

Figure 4. New Wash/Facility Area



TITLE VI DEFINITIONS AND POLICIES

MINORITY POPULATIONS

According to FTA Circular 4702.1B, a minority person is defined as an individual identifying as:

- American Indian and Alaska Native, Asian, Black or African American, Hispanic or Latino, and Native Hawaiian or Other Pacific Islander.

Minority populations are defined by FTA as any readily identifiable group of minority persons who live in geographic proximity, or who may be geographically dispersed, but who may be similarly affected by a proposed action.

LOW INCOME POPULATIONS

According to the FTA circular, low-income means a person whose median household income is at or below the U.S. Department of Health and Human Services poverty guidelines or within a locally developed income threshold that is at least as inclusive as these guidelines. For these policies, persons

with household incomes below 150 percent of the federal poverty level for a regionally average household size are determined to be low income.

Low-income population is defined by FTA as any readily identifiable group of low-income persons who live in geographic proximity or who may be geographically dispersed, but who may be similarly affected by a proposed action.

The FTA circular on Title VI compliance states that while low-income populations are not a protected class under Title VI there is an "...inherent overlap of environmental justice principles in this area, and because it is important to evaluate the impacts of service and fare changes on passengers who are transit-dependent, FTA requires transit providers to evaluate proposed service and fare changes to determine whether low-income populations will bear a disproportionate burden of the changes."

TITLE VI COMPLIANCE AND WATA POLICIES

WATA is committed to ensuring that no person is excluded from participation in, or denied the benefits of, its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. The public can find WATA's current Title VI Program/Plan that includes steps for submitting a Title VI complaint on the web at <https://www.gowata.org/179/Title-VI>.

Title 49 CFR Section 21.9(b)(3) states, "In determining the site of location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin."

WATA policies

WATA Board of Directors adopted the following policies on July 8, 2015 related to Title VI that guide this analysis:

- Announce opportunity to participate or provide input in planning for service changes, fare changes, new services, and new or improved facilities (early in the process).
- Announce the formal comment period on proposed major service reductions and fare increases with instructions for submitting comments including a public hearing.
- Announce impending service and fare changes (after plan has been finalized).
- Announce intent to apply for public transit funding from DRPT, and to announce the formal comment period on the proposed program of projects, with a public hearing (or opportunity for one).

PUBLIC/STAKEHOLDER COORDINATION

Throughout initial site alternative evaluation in 2009 and 2010, WATA coordinated closely with the City of Williamsburg, the Colonial Williamsburg Foundation, James City County, and the Virginia Department of Rail and Public Transportation (DRPT). Two public meetings related to site selection/evaluation were held

in December of 2009 and February of 2010, meeting the FTA Title VI requirements and WATA's Board-adopted policies of public participation happening early in the planning process. No concerns were raised about potential negative effects an expansion at WATA's current site would have on surrounding communities during the stakeholder coordination or public Board meetings.

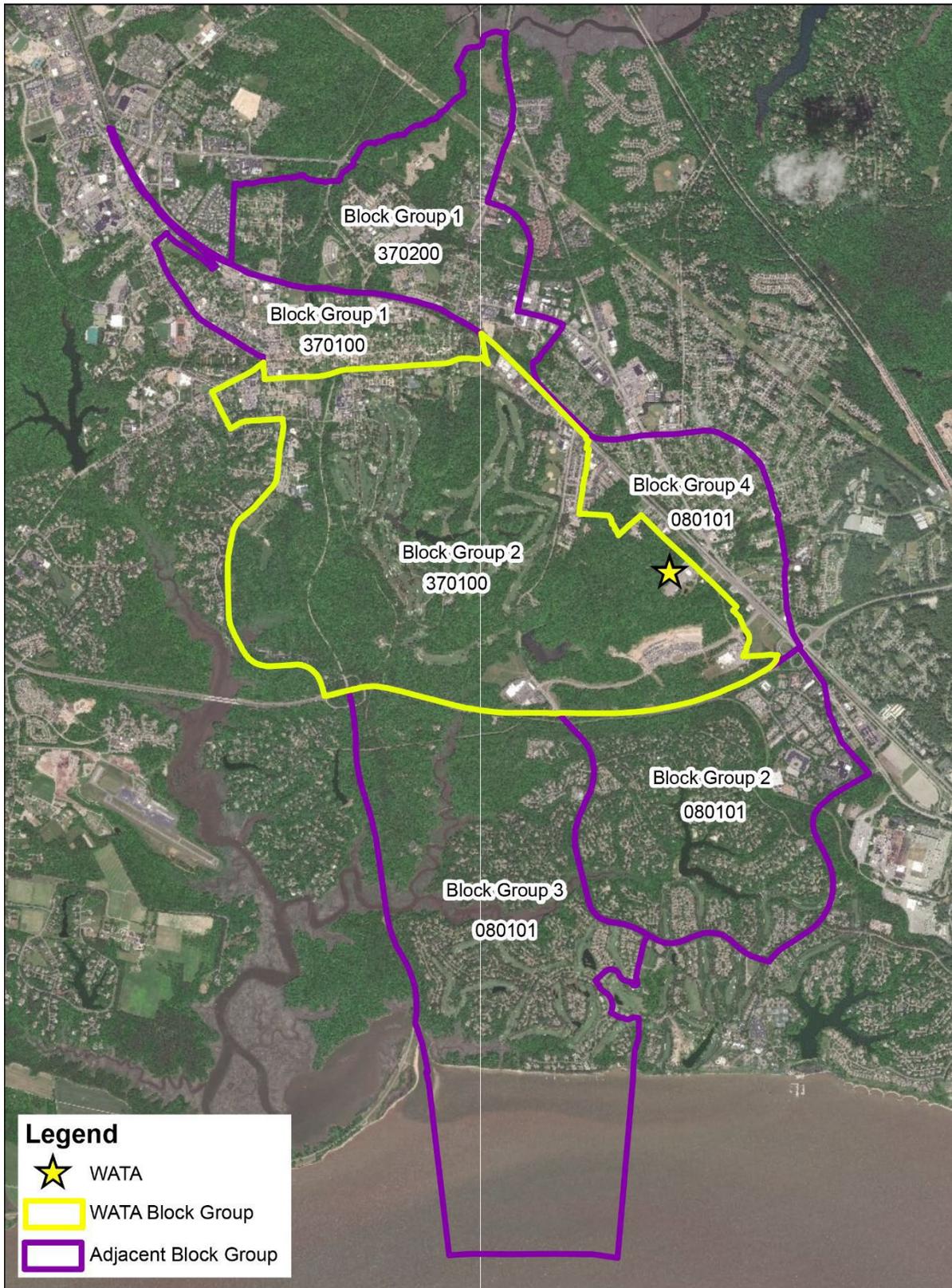
Once the preferred site alternative was identified as WATA's existing site, development of conceptual site plan alternatives began. WATA held a design charrette with WATA staff—including agency leadership as well as operations and maintenance groups—on May 10, 2016. The charrette focused on retrofitting/expanding existing structures and the arrangement of functions/activities on site to maximize operational efficiency with the phased approach to site development.

EQUITY ANALYSIS

Disproportionate burden refers to impacts to low-income and minority populations. The FTA circular defines disproportionate burden as “a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations.”

These disproportionate burden policies establish thresholds for determining when impacts of major facility changes disproportionately affect low-income and/or minority populations. The thresholds apply to the difference in impacts of the proposed facility changes on low-income populations compared to the impacts on other populations, then compared with the make-up of the service population or ridership of the entire system. **Figure 5** shows the block group where the WATA MOA is currently located and the surrounding block groups included in the Title VI analysis.

Figure 5. Block Groups Included in Title VI Analysis



This Title VI analysis for WATA MOA site was conducted using American Community Survey 5- year estimate (2014-2018) data at the block group level. The block group level was chosen for this analysis because it provides a more localized perspective than would the census tract level. Minority and low-income populations were identified in the block groups touched by current MOA site. The affected populations were then compared to the entire WATA Study Area as shown in **Table 1**. This analysis was conducted to ensure that the MOA preferred alternative was developed without regard to race, color, or national origin.

Table 1. Demographics at MOA Facility Site

Geography	Area Population	Low Income	Minority
Block Group 2 Tract 3701	599	8%	29%
Block Group 1 Tract 3702	968	38%	58%
Block Group 1 Tract 3701	679	42%	21%
Block Group 3 Tract 801.01	1347	2%	3%
Block Group 2 Tract 801.01	2254	4%	16%
Block Group 4 tract 801.01	1030	3%	61%
Impacted-Area Average	1114	16%	31%
System-Wide Average	111,780	10%	30%

EFFECTS ON TITLE VI POPULATIONS

MINORITY POPULATIONS

Minority populations within the vicinity of the current proposed MOA facility expansion (within the same block group as the MOA facility and those immediately-adjacent) range from 3 percent to 61 percent. The MOA facility itself is located in Block Group 2 Tract 3701 with minority population of 29 percent. The impacted-area average of minority populations (determined by calculating the average of minority populations within all block groups adjacent to the MOA) is 31 percent, compared to 30 percent systemwide. Effects of a proposed MOA facility expansion are not expected to result in disparate impacts on minority populations. Block Group 1 tract 3701 and Block Group 4 Tract 801.01 both have higher percentages of minority populations than the systemwide average (at 58 percent and 61 percent, respectively), while the other four adjacent block groups have lower percentages of minority populations.

LOW INCOME POPULATIONS

Low income populations within the vicinity of the current proposed MOA facility expansion (within the same block group as the MOA facility or those immediately-adjacent) range from 2 percent to 42 percent. The MOA facility itself is located in Block Group 2 Tract 3701 with a low income population of 8 percent. The impacted-area average of low income populations (determined by calculating the average of low income populations within all block groups adjacent to the MOA) is 16 percent, compared to 10 percent systemwide. Effects of a proposed MOA facility expansion are not expected to result in disparate impacts on low income populations. Block Group 1 Tract 3702 and Block Group 1 Tract 3701 both have higher percentages of low income populations than the system-area average (at 38 percent and 42 percent, respectively), while the other four adjacent block groups have lower percentages of low income populations.

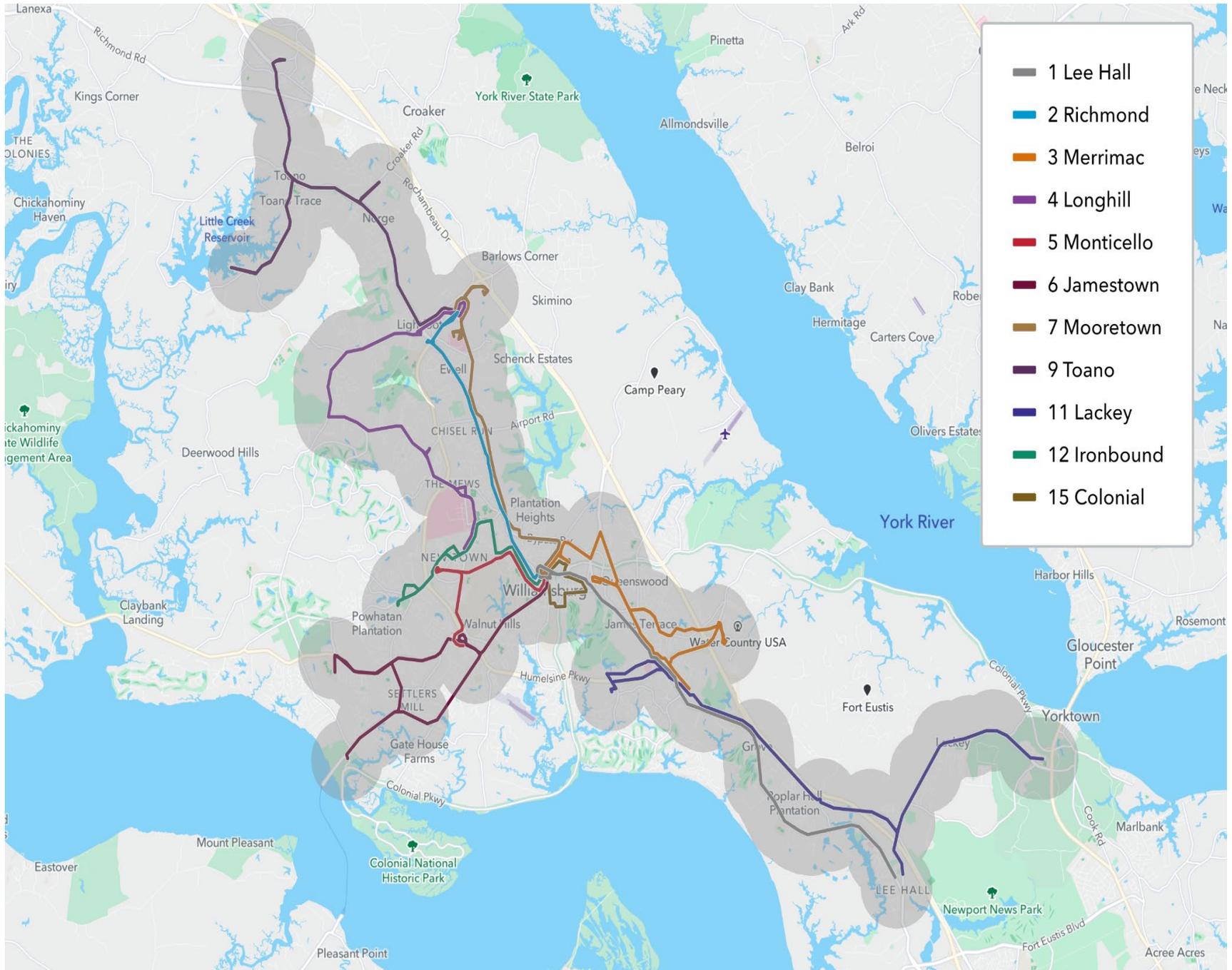
CONCLUSIONS

The site currently identified as preferred for expansion and future development of WATA's MOA Facility, was identified and evaluated without regard to race, color, or national origin. An evaluation of the poverty and minority population rates in the vicinity of the site show no disparate impact is likely to occur with the phased expansion of the current MOA facility.

This conclusion is based on the fact that the rates of poverty and minority population are lower in the Census Block Group where WATA's current MOA is and will be expanded, than the systemwide averages.

***Note: As WATA expands service offerings, fleet size, and facilities, increases in staff will be necessary in future years. Although no disparate impacts on minority populations are anticipated, WATA intends to focus future hiring efforts in the surrounding communities with higher percentages of minority and/or low income populations than system-wide percentages.*

APPENDIX I
– TITLE VI AREA SERVICE MAP



**APPENDIX
J –
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United States[®]
Census
Bureau

Table C16001

All **Tables** Maps Profiles Pages

C16001 | Language Spoken at Home for the Population 5 Years and Over

American Community Survey | Universe: Population 5 years and over | 2022: ACS 5-Year Estimates Detaile...

Notes | **Geos** | Topics | Codes | Dataset | Year | Columns | Transpose

Label	James City County, Virginia	York County, Virginia	Williamsburg city, Virginia
	Estimate	Estimate	Estimate
▼ Total:	74,974	66,518	15,136
Speak only English	69,369	59,153	12,950
▼ Spanish:	2,585	2,542	640
Speak English "very well"	1,716	1,925	405
Speak English less than "very well"	869	617	235
▼ French, Haitian, or Cajun:	338	244	192
Speak English "very well"	280	178	183
Speak English less than "very well"	58	66	9
▼ German or other West Germanic languages:	393	432	60
Speak English "very well"	383	409	60
Speak English less than "very well"	10	23	0
▼ Russian, Polish, or other Slavic languages:	173	316	76
Speak English "very well"	112	216	76
Speak English less than "very well"	61	100	0
▼ Other Indo-European languages:	332	1,081	361
Speak English "very well"	254	713	306
Speak English less than "very well"	78	368	55
▼ Korean:	123	668	111
Speak English "very well"	108	400	81
Speak English less than "very well"	15	268	30
▼ Chinese (incl. Mandarin, Cantonese):	443	841	297
Speak English "very well"	200	503	297
Speak English less than "very well"	243	338	0
▼ Vietnamese:	118	200	60