RESOLUTION NUMBER FY25-007

RESOLUTION ADOPTING TITLE VI PLAN AND COMMUNITY PARTICIPATION PLAN

WHEREAS, as a recipient of federal financial assistance, the Huntsville-Madison County Airport Authority (the "Airport Authority") is subject to grant assurances requiring compliance with certain laws and regulations prohibiting discrimination based on race, color, national origin, sex, creed, age, or disability, including Title VI of the Civil Rights Act of 1964, 42 USC §2000d et seq. ("Title VI"); and

WHEREAS, in 2012, the Airport Authority established a program (the "Title VI Program"), in accordance with Title VI, to ensure that no person on the grounds of race, color, national origin, sex, creed, age, or disability would be subject to discrimination under any program, activity, or service of the Airport Authority; and

WHEREAS, in 2022, the Airport Authority updated the Title VI Program to cover discrimination based on disability and renamed it the Non-Discrimination Program; and

WHEREAS, in 2021, the United States Department of Transportation ("USDOT") published an order (the "DOT Order") directing the Federal Aviation Administration ("FAA") and other DOT agencies to ensure that recipients of federal financial assistance comply with their statutory obligations to ensure against discrimination based on race, color, national origin, age, sex, or creed; and

WHEREAS, in response to the DOT Order, the FAA imposed certain requirements on airport sponsors with respect to their Title VI obligations, including a requirement that airport sponsors adopt a Title VI Plan and Community Participation Plan that has been approved by FAA; and

WHEREAS, the FAA prepared templates for airport sponsors to use in creating their Title VI Plans and Community Participation Plans and mandated the use of those templates; and

WHEREAS, in accordance with the FAA's requirements, and using the FAA-mandated template, the Airport Authority prepared a Title VI Plan and Community Participation Plan and submitted it to the FAA, and the FAA approved it.

NOW THEREFORE, the Board of Directors for the Airport Authority does hereby formally approve and adopt the Title VI Plan attached hereto as Exhibit "A" and the Community Participation Plan attached hereto as Exhibit "B," and does hereby authorize and direct the Chief Executive Officer ("C.E.O.") and Title VI Coordinator for the Airport Authority to make future changes, revisions and amendments to the Title VI Plan and the Community Participation Plan as may be required. The C.E.O. and Title VI Coordinator shall keep the Board apprised of new policies requiring changes to the Title VI Plan and the Community Participation Plan, but such changes shall be effective upon issuance by the C.E.O. and Civil Rights Coordinator.

ADOPTED on this the _/54

day of

, 2024

HUNTSVILLE-MADISON COUN AIRPORT AUTHORITY

By:

PHY IP W RENTLEY II

Its: Chairman

ATTEST:

By:

LAFREEDA M. JORDA Its: Secretary

The Huntsville-Madison County Airport Authority Title VI Plan

1. Title VI Policy Statement¹

The Huntsville-Madison County Airport Authority (the "Airport Authority") assures that no person shall on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex (including sexual orientation and gender identity), creed, or age, as provided by Title VI of the Civil Rights Act of 1964, ("Title VI"), the Civil Rights Restoration Act of 1987 (PL 100.259), Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities (hereafter sometimes collectively referred to as "Title VI and related requirements") be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives U.S. Department of Transportation (DOT) funding. Title VI also prohibits retaliation for asserting or otherwise participating in claims of discrimination.

The Airport Authority further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. The Airport Authority agrees, among other things, to understand the communities surrounding the airport or in the flight path of the airport, as well as customers that use the airport. Any time communities may be impacted by programs or activities at the airport, the Airport Authority will take action to involve those communities and the general public in the Airport Authority's decision-making process.

The Airport Authority requires nondiscrimination assurances, as prescribed by FAA, from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between the Airport Authority and each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

Amy Murphree, Chief Legal Officer, available at <u>amurphree@hsvairport.org</u> and 256.258.1912, (the "Title VI Coordinator") is responsible for overseeing the Airport Authority's compliance with Title VI and the point of contact for all airport Title VI matters and related responsibilities, including those required by 49 CFR Part 21.

Signature

Luther H. Roberts, Jr. Chief Executive Officer

September 30, 2024

Signature Date

September 30, 2027

3-Year Expiration Date

¹ This policy statement will be translated into languages other than English, upon request and based on patron and local language demographics.

2. Administration

The Board of Directors for the Airport Authority has reviewed and adopted this Title VI Plan (the "Title VI Plan" or the "Plan") for the Airport Authority. This Title VI Plan will be updated no less than once every three (3) years. The Plan will not be re-adopted following minor changes, such as updating the Airport's Chief Executive Officer, or equivalent, or the Title VI Coordinator's name. Significant revisions to our policies or federal guidelines may warrant re-adoption of the Title VI Plan by the Board of Directors for The Huntsville-Madison County Airport Authority and resubmittal to FAA.

In addition to the Title VI Coordinator and the Airport Authority's leadership, the following people also assist with the Airport Authority's Title VI program requirements:

Airport Authority Program / Office	
जाहरा संतिकान	

The Airport Authority has the following airport program sub-recipients:

	Sub-Recipients
NONE	our consumer, and conjugation of the providing as activity.

As of the date of this Plan, the Airport Authority has the following pending applications for Federal financial assistance:

Federal Source	Grant Number	Amount
UNITED STATES DEPARTMENT OF TRANSPORTATION – SMALL COMMUNITY AIR SERVICE	Notice of Funding Opportunity Docket No. DOT-OST-2024- 0066	\$1,000,000.00
DEVELOPMENT PROGRAM		The second of Author

In addition, the Airport Authority's sub-recipients have the following pending applications for Federal financial assistance (either directly from the FAA or passed through the State DOT):

Federal Source	Grant Number	Amount
NONE	and the land three to be and the	

Updated information for pending and awarded grant applications will be available through the following methods:

Federal Source

Grant Award Information Available at:

FAA AIP Awards

https://www.faa.gov/airports/aip/

3. Grant and Procurement Assurances

49 CFR § 21.7 (a)(1); 49 CFR Part 21 Appendix C (b)

The Airport Authority will complete standard grant assurances for Title VI and related requirements, in the form prescribed by FAA.

See https://www.faa.gov/airports/aip/grant_assurances/#current-assurances.

Clauses/Covenants

- a. All contracts, leases, deeds, licenses, permits, and other similar instruments for programs receiving federal financial assistance must contain the contractual requirements and clauses, in the form prescribed by FAA. See https://www.faa.gov/airports/aip/procurement/federal_contract_provisions/. Note that unlike many other clauses, Civil Rights clauses are required in all contracts. Note there are also special clauses required for certain types of contracts, such as land acquisition.
- b. The Airport Authority requires Civil Rights clauses to be included in solicitations and contracts for all subcontractors, subleases, and any other agreements. This will be accomplished by directives provided by the Airport Authority in bid documents to contractors and subcontractors and by periodic checks of subcontractor agreements.

Description of Oversight Methods for Subcontracts

The Title VI Coordinator and/or a third party hired by the Title VI Coordinator will periodically request copies of subcontracts to verify that the subcontracts include the required Title VI clauses. The Title VI Coordinator will conduct this review on at least 5 subcontracts each year.

4. Title VI Coordinator Responsibilities

The Title VI Coordinator is responsible for ensuring that she and other staff supporting the Title VI Plan are trained in Title VI requirements. Essential training topics include:

- Basic Title VI requirements
- Airport language assistance resources and practices
- Collecting and assessing demographic data
- Reporting Title VI complaints and other required FAA notifications

See Training Section for more information for expected training for all staff.

Among other responsibilities, the Title VI Coordinator:

- Proactively ensures that the Airport Authority is in compliance with nondiscrimination requirements of Title VI and reports to the Airport Authority's leadership on the status of Title VI compliance.
- Responds promptly to requests by FAA for data and records and for the scheduling of compliance reviews and other FAA meetings to determine compliance with Title VI and related requirements.
- Receives discrimination complaints covered by Title VI and related requirements and forwards them to FAA, within fifteen (15) days of receipt, together with any actions taken to resolve the matter.
- Provides FAA with updates regarding the Airport Authority's response and status of early resolution efforts to complaints concerning Title VI and related requirements (49 CFR Part 21, Appendix C(b)(3)), including resolution efforts.
- Annually reviews the Airport Authority's Title VI Plan and disseminates information throughout staff and the Airport Authority's leadership.
- Coordinates data collection to evaluate whether racial or ethnic groups are unequally benefited or impacted by airport programs. The data will be regularly assessed and readily available upon request (49 CFR § 21.9(b) & (c)). Data collection methods will include optional demographic questions in the following: airport customer satisfaction surveys, customer complaints, airport event sign-in sheets, and bids/proposals for airport contracts, and other methods described in the Airport Authority's Community Participation Plan.
- Maintains demographic data for members of appointed planning and advisory bodies for the airport, if any. Identifies any disparities compared to the community. Provides information to the membership selecting official(s)/committee(s), if any, particularly when vacancies occur.
- Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours (49 CFR 21, Appendix C (b)(2)(i)).

See Notice; Compliance Reviews, Audits, Lawsuits, and Other Investigations; and Title VI Complaints Sections of this Plan.

The Title VI Coordinator has requested and received access to the Title VI portion of the FAA Civil Rights Connect System (https://faa.civilrightsconnect.com/).

5. Notice 49 CFR Part 21 Appendix C(b)(2)(ii)

The Airport Authority will conspicuously display the FAA-provided Unlawful Discrimination Poster in all public areas on airport property, including those with pedestrian activity. The Title VI Coordinator ensures that these posters are visible, accessible, and maintained.

The poster template is available at:

² For more information about website accessibility, please visit ADA.gov.

https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/and a completed copy is attached. See Section 15 Appendix.

The Airport Authority has posted the above Title VI policy statement at its staff offices.

The Airport Authority will distribute this Title VI Plan (once approved by FAA) among its employees and airport contractors, concessionaires, lessees, and tenants. This Plan will be distributed within thirty (30) days of the later of (i) approval by FAA and (ii) approval by the Airport Authority's Board of Directors, by email, physical distribution, and/or mailings to airport employees and contractors, concessionaires, lessees, and tenants.

Posters are displayed in the terminal and other areas on airport property, including the following public locations:

Terminal/FBO/Concessions/ Other Locations	Quantity in Pre-Security Area	Quantity in Post-Security Area	Additional Quantities
Terminal Building	2		
Terminal Building		2	
Fixed Base Operator Terminal Building	1		
All staff offices	5	A STATE OF THE PARTY OF	

Outreach to Affected Communities

The Title VI Coordinator ensures that notices for public meetings reach all segments of the impacted community. The Title VI Coordinator will identify the effective media platforms to share announcements and notices. Announcements may be made in social media, general circulation newspapers, community newspapers, email broadcast, and the Airport Authority's website. The Title VI Coordinator will contact leaders and representatives in Affected Communities directly to confirm effective media platforms to reach all Affected Communities³ and provide important feedback on translated materials. The Airport Authority will maintain records of all such notices and the efforts made to reach each of the Affected Communities.

The Airport Authority will create a detailed Community Participation Plan ("CPP") by March 2024 (which will be subject to review by FAA). A copy of the CPP will be available on the Airport Authority's website and will be available for public inspection at the Airport Authority's Administrative Offices located in the terminal building at 1000 Glenn Hearn Blvd SW, Huntsville, AL 35824, by appointment only. Appointments for public inspection can be made by emailing the Title VI Coordinator.

³ The Airport Authority will not subject any persons to discrimination based on race, color, national origin, age, sex, or creed. The term "protected communities" is used within this Title VI Plan to highlight the requirements of Title VI, 49 U.S.C. § 47123, the Age Discrimination Act of 1975, and in some instances, includes low-income populations under Executive Order 12898.

To ensure that the community is effectively informed of and able to participate in public hearings, the Title VI Coordinator will, upon request, provide public notices translated into appropriate languages, including any language spoken by a significant number or proportion of the Affected Community population that has limited English proficiency (LEP), if any. Such website postings and public notices will include directions for obtaining an interpreter, free of charge, for public hearings. 28 CFR § 42.405(d). See Limited English Proficiency (LEP) Section.

6. Community Statistics

Title VI regulations require Federal grant recipients to know their community demographics. See 49 CFR § 21.9(b). By knowing this information, the Airport Authority will be able to identify, understand, and engage with such communities. In doing so, the Airport Authority will be able to identify communities eligible to be served and actually or potentially affected, benefited or burdened by the Airport Authority's airport program.

Affected Communities ⁴	Population	
Airport Surrounding Area (35824)	9,767	
Madison (35758)	47,856	
Triana /County Line Road (35756)	23,356	

(Hereafter, the above communities will be referred to collectively as "the Affected Communities").

The Airport Authority has identified the following facts about the Affected Communities:

Low Income Communities⁵.

A low-income area is an identifiable group of persons living in geographic proximity, whose median household income is at or below the Department of Health and Human Services poverty guidelines. Pursuant to Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," the Airport Authority will collect information about affected and potentially affected low-income communities. According to the *U.S. Census Report*, *S1701: Poverty Status in the Past 12 Months*, the overall poverty level for those counties affected by and/or benefiting from airport operations is 11.4% for Madison county, 9.5% for Limestone county, and 12.5% for Morgan county. The poverty rate remains comparable with (but slightly lower than) the entirety of the State of Alabama which has an overall poverty level of 16.2%.

The poverty rates for the specific Affected Communities are as follows:

Affected Communities	Poverty Rate
Airport Surrounding Area (35824)	10.1%

⁴ "Affected Communities" means any readily identifiable group potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path.

⁵ Low-income data must be collected to assist in our compliance with Environmental Justice Requirements (not Title VI requirements). For example, this data will be utilized in the Airport Authority's Community Participation Plan (CPP) to help ensure the meaningful involvement of low income communities in airport programs and activities.

Madison (35758)	4.9%
Triana/County Line Road (35756)	5.0%

From "Percent below poverty level" column from Table S1701, American Community Survey (ACS) 5-Year Estimate to populate the data for the Poverty Rate column in the above table. See <u>S1701: Poverty Status in the Past 12 Months</u>

Racial and Ethnic Communities.

Demographic data for race, color, and national origin was evaluated to identify racial and ethnic communities and populations in each Affected Community. The demographic composition by race, color, or national origin for the specific Affected Communities are as follows⁶:

Affected Community: <u>Airport Surrounding Area (35824)</u>
Total Affected Community Population: 9,767

Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
White	5,422	55.5%
Black or African American	2,952	30.2%
American Indian and Alaska Native	123	1.3%
Asian	401	4.1%
Native Hawaiian and Other Pacific Islander	0	0.00%
Some other race alone	227	2.3%
Two or more races	642	6.6%
Total	9,767	100%

Total column for Table S1701, ACS 5-Year Estimate to populate the data for Number of People in Minority Group column in each Affected Community table. See S1701: Poverty Status: Race and Hispanic or Latino Origin

Affected Community: <u>Madison (35758)</u>
Total Affected Community Population: 47.856

Total Affected Community 1 opulation. 47,030			
Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population	
White	34,448	72.0%	
Black or African American	7,105	14.80%	
American Indian and Alaska Native	180	0.4%%	
Asian	3,151	6.6%	
Native Hawaiian and Other Pacific Islander	4	0.0%	
Some other race alone	270	0.6%	
Two or more races	2,698	5.6%	
TOTAL	47,856	100%	

Total column for Table S1701, ACS 5-Year Estimate to populate the data for Number of People in Minority Group column in each Affected Community table. See S1701: Poverty Status: Race and Hispanic or Latino Origin

⁶ Recommend using demographic groups from the U.S. Census.

Affected Community: <u>Triana/County Line Road (35756)</u> Total Affected Community Population: 23,356

Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
White	14,783	63.3%
Black or African American	5,363	23.0%
American Indian and Alaska Native	138	0.6%
Asian	1,469	6.3%
Native Hawaiian and Other Pacific Islander	0	0.0%
Some other race alone	300	1.3%
Two or more races	1,303	5.6%
TOTAL	23,356	100%

Total column for Table S1701, ACS 5-Year Estimate to populate the data for Number of People in Minority Group column in each Affected Community table. See S1701: Poverty Status: Race and Hispanic or Latino Origin

Limited English Proficiency (LEP).

The goal of all language access planning and implementation is to ensure that the Airport Authority communicates effectively with limited English proficient (LEP) individuals. Effective language access requires self-assessment and planning. The next table lists non-English languages⁷ that are spoken in LEP households in the Affected Communities. The data source is the U.S. Census Bureau, <u>Table B16001</u>.

The threshold the Airport Authority has used for identifying the languages with significant LEP populations is the DOT LEP Policy Guidance safe harbor threshold, which is 5% or 1,000, whichever is less.⁸ The safe harbor for the Airport Authority's Affected Communities (35824 and 35758) is 1,000 and for the Affected Community (35756) is 5% (488). Please refer to the end of this document to find data for all languages in our community.

⁷ These language groups are derived from the U.S. Census and using data for the "Speak English less than "very well" category for each language over the threshold.

⁸ See the DOT LEP Policy Guidance at https://www.federalregister.gov/d/05-23972/p-133. The safe harbor provisions apply to the translation of written documents only; however, it provides a consistent starting point for identifying significant LEP populations.

Languages Spoken by LEP Population (35824)	Number	Margin of Error
Spanish	0	+/-16
French	0	+/-16
French Creole	0	+/-16
Italian	0	÷/-16
German	0	+/-16
Greek	0	+/-16
Russian	0	+/-16
Polish	0	+/-16
Hindi	0	+/-16
Urdu	0	+/-16
Other Indic Languages	0	+/-16
Chinese	0	+/-16
Japanese	59	+/-83
Korean	64	+/-64
Mon-Khmer, Cambodian	0	+/-16
Thai	0	4/-16
Vietnamese	0	+/-16
Tapalog	25	+/-40
Other Pacific Island Languages	0	+/-16
Arabic	0	+/-16
African	0	+/-16

^{*}See <u>Table B16001: Language Spoken at Home by Ability to Speak English: Speaks English less than "very well".</u>
None of the languages spoken by the LEP population meet the safe harbor threshold.

Languages Spoken by LEP Population (35758) *	Number	Margin of Error	
Spanish	551	+/-375	
French	8	+/-12	
French Creole	0	+/-24	
Italian	26	+/-40	
German	20	+/-25	
Greek	26	+/-39	
Russian	54	+/-77	
Polish	21	+/-34	
Hindi	65	+/-71	
Urdu	28	+/-34	
Other Indic Languages	22	+/-33	
Chinese	195	+/-141	
Japanese	0	+/-24	
Korean	177	+/-105	
Mon-Khmer, Cambodian	15	+/-22	
Thai	0	+/-24	
Vietnamese	137	+/-142	
Tagalog	46	+/-66	
Other Pacific Island Languages	9	+/-16	
Arabic	11	+/-19	
African	14	+/-21	

^{*}See <u>Table B16001: Language Spoken at Home by Ability to Speak English: Speaks English less than "very well" None of the languages spoken by the LEP population meet the safe harbor threshold.</u>

Languages Spoken by LEP Population (35756)*	Number	Margin of Error	
Spanish	0	+/-18	
French	0	+/-18	
French Creole	44	+/-75	
Italian	0	+/-18	
German	0	+/-18	
Greek	0	+/-18	
Russian	0	+/-18	
Polish	0	+/-18	
Hindi	14	+/-21	
Urdu	0	+/-18	
Other Indic Languages	0	+/-18	
Chinese	3	+/-5	
Japanese	0	+/-18	
Korean	61	+/-84	
Mon-Khmer, Cambodian	0	+/-18	
Thai	34	+/-49	
Vietnamese	0	+/-18	
Tagalog	0	+/-18	
Other Pacific Island Languages	0	+/-18	
Arabic	0	+/-18	
African	0	+/-18	

^{*}See <u>Table B16001</u>: <u>Language Spoken at Home by Ability to Speak English: Speaks English less than "very well" None of the languages spoken by the LEP population meet the safe harbor threshold.</u>

Frequency of contact with LEP individuals at the airport and airport-related activities (all languages):

Languages Spoken by LEP Persons *	Never/Minimal times a year (10 or less days a year)	Several times a month (13 to 51 days a year)	At least once a week (52 to 364 days a year)	Every day (365 days a year)
Spanish		X		
All other languages	X		Store Parket	a many setti
- Lewissialman Lohime	of some of beginning a behavior	of ortanger Lab		

^{*}The Airport Authority has made this determination based upon the best information currently available to the authority. The Airport Authority will implement new processes to better track this information as it relates to its customers at the airport.

Additional languages spoken by significant numbers of LEP persons in the Affected Communities, local schools, emergency service providers, and others, include:

Additional Languages Spoken

NONE (See Lists Above)

This information is updated annually through checking the following resources:

Data Sources for Languages Spoken in Affected Community	Website link to Data Source
U.S. Census Bureau	https://data.census.gov/cedsci/table?q=B16001&tid=ACSDT1Y2019.B16001

Beneficiary Diversity.

Demographic information will be collected from the Airport Authority's customers through voluntary disclosures.

Description of Beneficiary Demographic Information Collection Methods

• The Airport Authority conducts periodic surveys of airport guests for customer satisfaction with airport concessions, restroom cleanliness, food offerings, and other elements and services. These surveys will include a voluntary request for demographic information.

Staff and Advisory Board Diversity.

Demographic information will be collected from the Airport Authority's employees through voluntary disclosures. The Airport Authority does not have any planning or advisory boards.

Description of Employee and Advisory Board Demographic Information Collection Methods

Demographic information will be collected from employees through a voluntary form that the employee may complete during the onboarding process. Employees also have the opportunity at any time during their employment to submit voluntary confidential demographic information through the Airport Authority's Human Resources Information System.

7. Potential or Known Community Impacts

Projects or services receiving federal financial assistance have the potential to touch so many aspects of American life. Thus, in general, no Airport Authority activity will have a discriminatory disparate impact on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age. This means that policies or procedures that have a disparate impact would require a well-documented substantial legitimate nondiscriminatory justification, summarized below. Impacts to protected communities must be avoided or minimized to the extent possible. No project with a discriminatory impact on protected communities will be undertaken.¹⁰

⁹ Data should be kept up-to-date, but this Title VI Plan does not need to be updated for incremental data changes during the Plan's 3-year period.

¹⁰ In order to carry out an alternative with a discriminatory impact, the Airport Authority must demonstrate that there was a substantial legitimate justification for the decision. The Airport Authority must also show that alternatives with less discriminatory impacts were meaningfully considered and rejected for legitimate reasons.

The following airport facilities are already in use or under construction and expected to be in use within the next three (3) years:

Existing Airport Facilities

Affected Community Impacted by Operation of the Facility

Airport Terminal Building	None
International Intermodal Center	None
Air Cargo Distribution Facility	None

The following airport facility projects (including all alternatives) are in construction or expected to be in construction within the next 3 years:

Airport Facility Construction Projects

Affected Community Impacted by Construction of the Facility

	Constitution of the Facility	
Aircraft Rescue and Firefighting Facility	None	
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The Airport Authority has analyzed the above existing facilities and facility construction projects for disparate impacts on the basis of race, color, or national origin (including LEP) in Affected Communities. The following have disparate impacts:

•	Affected Community Impacted	Impact Can Be
Disparate Impacts		Eliminated?
NONE	None	N/A

Justifications:

The Airport Authority has not identified any disparate impact(s) from its existing facilities or from its facility construction projects on any Affected Communities. The Airport Authority will continue to monitor its facilities and related construction projects for disparate impacts on its Affected Communities and make assessments as to whether such disparate impact(s), if any, can be eliminated.

Facilities or Construction **Projects**

Justification

NONE			
TVOTVE			

Should the Airport Authority identify any disparate impact(s) upon an Affected Community which cannot be eliminated, the Airport Authority will consider: (1) To what extent does the program or activity expand opportunities at the airport; (2) If persons or businesses are to be displaced, relocated or adversely affected, whether the displacement will be equitably shared by the Affected Communities; (3) The historical background of the program or activity over time, including its design, construction, and/or modification; (4) Any related preexisting disadvantages impacting the Affected Community, and any action taken or which could be taken by the Airport Authority or others to alleviate these disadvantages; and (5) An analysis of the comparative impacts of alternative approaches.

8. Limited English Proficiency (LEP)

Executive Order 13166

In creating a Language Assistance Plan, the Airport Authority will consider the volume, proportion, or frequency of contact with LEP persons in determining the appropriate language assistance to provide.

In the Community Statistics section, the Airport Authority identified the following languages spoken by LEP persons in its Affected Communities, though none met the safe harbor threshold in any Affected Community.

Languages Spanish French French Creole Italian German Greek Russian Polish Hindi Urdu Other Indic Languages Chinese Japanese Korean Mon-Khmer, Cambodian Thai Vietnamese Tagalog Other Pacific Island Languages Arabic African

The Airport Authority also collects data for languages spoken by airport guests.¹¹ Data sources include:

Data Sources for Languages Spoken by Airport Guests	Website link to Data Source
Usage data from translation/interpretation applications or service providers	N/A
Airline provided data, if any	N/A
Assistance requests to airport information desks	N/A

Based on the above data, the following <u>additional</u> languages have been identified as likely to be spoken by LEP airport guests: *NONE*.

Language

The Title VI Coordinator will inform leadership and staff at the Airport Authority of the responsibility to provide language access. The Airport Authority will endeavor to provide the following translation services free of charge to ensure that individuals with LEP have access to the benefits of the airport:

Translation Services:

- Public notices will contain a statement in the identified languages, when appropriate, of how to receive translated written materials.
- The following vendors have been identified for written translations:

Translation Vendors	Languages
Google translate application	All above languages

• Information regarding translation services can be obtained upon request to the Airport Authority and/or found on the airport's website.

Location for Translation Assistance	Languages
Airport website	All above languages

The Airport Authority will strive to provide appropriate language assistance services to every LEP person encountered. This includes instances when LEP statistical data for a particular language is not available beforehand or where the safe harbor threshold for written translation is not met.

Interpretation Services:

• The following vendors have been identified for interpretation services:

Interpretation Vendors	Languages							
Google translate application	All of the above							
OPI Foreign Translations	All of the above							

• Information regarding interpretation services can be obtained upon written request delivered to the Airport Authority and/or found on the airport's website.

Location for Interpretation Assistance	Languages
Airport website	All above languages
This post weeding	Itt above tanguages

Description of Interpretation Assistance Processes

• The Airport Authority employees who regularly interact with the public are trained to use Google translate mobile applications on their cell phones. If the google translate application is not successful, the employees are trained to use OPI Foreign translations, which provides a live interpreter on demand.

9. Transportation

49 Part CFR 21 Appendix C (a)(1)(ix)

In the Community Statistics section of this Plan, the Airport Authority identified Affected Communities and provided demographic and related data for the community populations. The minority and disadvantaged community areas located within the Affected Communities are identified below. Other minority and disadvantaged community areas that are near the airport but not within Affected Communities are also identified below.

Currently the airport is not located within an area that is serviced by public transit access. The Airport Authority will cooperate with any future efforts by the local transit authority and/or local municipalities to bring service access between the airport and the Affected Communities.

The following chart identifies existing and planned transit services connecting the airport employment centers with the identified minority and disadvantaged community areas.

Minority and/or Disadvantaged Community Areas	Transit Service	Planned or Existing
NONE		

10. Minority Businesses

49 CFR 21 Appendix C (a)(1)(x)

Bids for airport concessions and other business opportunities are solicited from area minority and woman-owned businesses through the following methods:

Airport Business Opportunity	Minority Business Outreach Methods
Airport Concession Opportunities	Advertised through the airport's website, and
AAT in belieuwing sel seum atrici	In-person public meetings are held to discuss upcoming concessions and tenant opportunities at the airport and participation by ACDBE/minority owned businesses.
Airport Construction Contract and Design Contract	Advertised through the airport's website, and
Opportunities	In-person public meetings are held to discuss upcoming construction projects and DBE/minority owned business opportunities.
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Selections are in compliance with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions are kept with the Department for Capital Improvements and/or the Legal Department, as applicable.

11. Training

New employee orientation incorporates Title VI training. Topics include:

- Title VI and related laws prohibit discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age
- Title VI complaints must be forwarded to the Title VI Coordinator
- Protections against retaliation for filing civil rights complaints or related actions
- Title VI notices must be displayed throughout the airport public facilities
- All contracts must include Title VI clauses
- Language interpretation and translation services
- Cultural and community relations sensitivity training
- Anti-harassment training

Refresher information will be provided on a periodic basis.

12. Compliance Reviews, Audits, Complaints, Lawsuits, and Other Investigations

<u>FAA Notification</u>. The Title VI Coordinator will notify FAA of any pending investigations and reviews, including:

- Compliance reviews or audits concerning civil rights requirements¹²
- Complaints, lawsuits, or other investigations alleging noncompliance with civil rights requirements¹³

As discussed in the Title VI Complaints Section, Title VI complaints must be forwarded to FAA contacts within fifteen (15) days of receipt. For all other civil rights investigations, the Airport Authority must notify FAA contacts of any new investigations prior to grant execution.

At regular intervals, the Title VI Coordinator will provide FAA with status updates for the investigations and reviews, until completed. For each existing investigation or review completed within five (5) years of this Plan, the Title VI Coordinator will also provide a statement about the outcome, unless previously provided.

13. Title VI Complaints

49 CFR 21.11; 49 CFR 21 Appendix C (b)(3); 28 CFR 42.406(d)

<u>Scope</u>. These procedures are for complaints of discrimination under Title VI and related laws (hereafter "Title VI Complaints.") In order to be a Title VI Complaint, the complaint must:

- 1. Allege discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age or violations of administrative requirements under Title VI or related laws.
- 2. Not only be for employment matters¹⁴
- 3. Allege misconduct by the Airport Authority and/or its airport employees, contractors, concessionaires, lessees, or tenants.
- **4.** Concern an airport facility or actions by the Airport Authority and/or its airport employees, contractors, concessionaires, lessees, or tenants.

¹² Includes any Title VI, ADA, Sec. 504, Title VII/EEO, or other civil rights program compliance review or audit to be performed on the Airport Authority by any State, local or Federal agency.

¹³ Includes allegations of discrimination based on race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age, whether because of actions of the Airport Authority itself, or its employees, contractors, or tenants. Includes noncompliance with related administrative requirements under civil rights laws.

¹⁴ Complaints of employment discrimination must be addressed as required by EEOC and other applicable authorities with jurisdiction over employment matters. If an Airport Authority employment activity is supported by FAA-provided financial assistance or it is alleged that the employment discrimination affects the broader airport program, complaints about that activity must also be reported to FAA.

<u>Rights</u>. Any person who believes that he or she has been subjected to discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age has the right to file a complaint with the Airport Authority. Alternatively, such person can file a formal complaint with an outside agency, such as the U.S. Department of Justice or the U.S. Department of Transportation, or the Federal Aviation Administration (FAA), or seek other legal remedies.

<u>Receipt of Complaint</u>. The Title VI Coordinator will log in the complaint and promptly send copies of the complaint to the applicable department named in the complaint and the Chief Executive Officer of the Airport Authority.

Complaints must be filed within ninety (90) days after the discriminatory event, must be in writing, and must be delivered to:

Amy Murphree
Title VI Coordinator
The Huntsville-Madison County Airport Authority
1000 Glenn Hearn Blvd., Box 20008
Huntsville, Alabama 35824
Telephone: (256) 772-9395

If a complaint is initially made by phone, it must be supplemented with a written complaint within ninety (90) days after the discriminatory event. If a verbal complaint is received, the complainant should be given a copy of the Airport Authority's Discrimination Complaint Procedures and instructed to submit a written complaint. Accommodation will be provided upon request to individuals unable to file a written complaint due to a disability.

<u>Initial Procedure.</u> The Title VI Coordinator may meet with the complainant to clarify the issues, obtain additional information, and determine if informal resolution might be possible in lieu of an investigation. If successfully resolved, the Title VI Coordinator will issue a closure letter to the complainant, record the disposition in the complaints log, and report the resolution to FAA.

Discrimination Complaint Referral Procedure

<u>Internal Complaint Referral</u>. All Title VI complaints must be promptly forwarded to the Title VI Coordinator within seventy-two (72) hours.

Initial FAA Notification. A copy of each Title VI complaint will be forwarded to FAA within fifteen (15) days of initial receipt (not the date that the Title VI Coordinator was notified). The Title VI Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter and the results thereof to FAA Civil Rights staff. (Note: Complaints based on disability do not have to be forwarded to FAA.) To transmit complaint information to FAA, the Title VI Coordinator will upload the complaint to the FAA Civil Rights Connect System, which issues automated notification to FAA staff. The Title VI Coordinator will also seek technical assistance from FAA, as needed, throughout complaint intake, investigation, and resolution process.

Investigation Procedure

<u>Assignment of Investigator</u>. The Title VI Coordinator will immediately begin the investigation or designate an investigator.

<u>Cooperation with FAA</u>. The Title VI Coordinator will promptly investigate all Title VI complaints, including those referred by FAA for investigation. If FAA is investigating a complaint against the Airport Authority, the Title VI Coordinator will avoid interfering with the FAA investigation, cooperate with FAA when needed, and share factual information with FAA.

<u>Prompt Investigation</u>. The Title VI Coordinator will make every effort to complete all discrimination complaint investigations within sixty (60) calendar days after the complaint is received. Some investigations may take longer with a justification for the delay and assurance that the investigation is being completed as quickly as possible.

<u>Contact with Complainant.</u> The Title VI Coordinator will meet with the complainant to clarify the issues and to obtain additional information. The Title VI Coordinator will also speak with community members and potential witnesses, as appropriate.

<u>Investigation Report</u>. After completing the investigation, the Title VI Coordinator will prepare a written report.

<u>Consultation with Legal Counsel</u>. In each case, the Title VI Coordinator will consult with the Airport Authority's legal counsel regarding the investigation and the report. The Airport Authority's legal counsel will ensure that the report is consistent with DOT and FAA Title VI nondiscrimination requirements.

<u>Prompt Resolution of Disputes</u>. The Title VI Coordinator will emphasize voluntary compliance and will quickly and fairly resolve disputes with complainants, or with contractors, tenants, or other persons, through informal negotiations and/or other dispute resolution methods.

<u>Forwarding Report and Response to Complainant</u>. At the completion of the investigation, the complainant and the respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will describe the complainant's appeal rights. Copies of the discrimination complaint, a summary of the investigation report, and the Airport Authority's transmittal letter to the complainant will be sent to FAA via the FAA Civil Rights Connect System.

Appeal Rights. The complainant must be notified of their right to appeal the findings or determinations, and of the procedures and the requirements for an appeal:

- The complainant may appeal in writing to the Chief Executive Officer.
- The written appeal must be received within 30 calendar days after receipt of the written

- decision.
- The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal.
- The Chief Executive Officer will issue a final written decision in response to the appeal.

<u>Avoiding Future Discrimination</u>. In addition to taking action with respect to any specific instances of discrimination, the Airport Authority will identify and implement measures to reduce the chances of similar discrimination in the future.

<u>Intimidation and Retaliation Prohibited</u>. The Airport Authority employees, contractors, and tenants will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

For information on filing a complaint with DOT/FAA, please contact the Title VI Coordinator.

This Complaint Procedure is shared with the public through the following methods:

Website, In-person, and Other Distribution Methods

1 Airport website, Title VI Page at www.portofhuntsville.com

14. Population / Language Data

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15. Completed Unlawful Discrimination Poster

Unlawful Discrimination

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

> Federal Aviation Administration Office of Civil Rights, ACR-1 800 Independence Avenue, S.W. Washington, D.C. 20591

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

> Coordinator: Amy Murphree Phone: 256,258,1912

Address: 1000 Glenn Hearn Blvd., Box 20008 Huntsville, Alabama 35824

Discriminacion Ilegal

Se prohibe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

> Federal Aviation Administration Office of Civil Rights, ACR-1 800 Independence Avenue, S.W., Washington, D.C. 20591

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

> Coordinador: Amy Murphree Teléfono: 256.258,1912

Dirección: 1000 Glenn Hearn Blvd., Box 20008 Huntsville, Alabama 35824



U.S. Department of Transportation Federal Aviation Administration 100

September 1, 2024

Airport Sponsor Community Participation Plan (CPP)¹

1. Administration

The purpose of this CPP is to ensure that stakeholders or communities affected² by **The Huntsville-Madison County Airport Authority** (the "Airport Authority") projects or operations can be informed and participate and have their input thoughtfully considered in the key stages during airport planning efforts, regardless of their race, color, national origin, sex, sexual orientation, gender identity, creed, age, or disability (hereafter, the "protected bases"). This plan is provided in accordance with Title VI of the Civil Rights Act of 1964 (Title VI) and related authorities.³ This plan and associated reports regarding the Airport Authority's CPP efforts will be communicated to the public in formats accessible to persons with disabilities and to limited English proficient (LEP) individuals.

The individuals primarily responsible for implementing the Airport Authority's CPP are:

Responsible Official

1 Amy Murphree
Chief Legal Officer; Title VI Coordinator; Civil Rights Coordinator

2

Responsible officials' contact information is shared with the public through the following methods:

Website, In-person, and Other Communication Methods

1 Website (https://www.portofhuntsville.com/non-discrimination-accessibility/)
2

In addition, the Airport Authority will ensure that members of the public are advised of the Airport Authority's nondiscrimination obligations. This includes how to file discrimination complaints with the Airport Authority and the FAA. The Airport Authority will also conspicuously display the FAA-provided Unlawful Discrimination Posters at airport facilities. See Notice section of The Huntsville-Madison County Airport Authority Title VI Plan.

¹ See DOT Order 1000.12C, "The U.S. Department of Transportation (DOT) Title VI Program," Ch. 2, Sec. 4. (Jun. 11, 2021). https://www.transportation.gov/sites/dot.gov/files/2021-08/Final-for-OST-C-210312-002-signed.pdf

² Within this CPP, the term "affected" also means served, in addition to positively or negatively impacted.

³ Related authorities include the Age Discrimination Act of 1975; Sec. 520 of the Airport and Airway Improvement Act of 1982; and the Civil Rights Restoration Act of 1987.

The Airport Authority will also make this CPP available through the following methods when engaging members of the public concerning planning efforts:

Website, In-person, and Other Distribution Methods

1 Website (https://www.portofhuntsville.com/non-discrimination-accessibility/)

2

2. Goals and Objectives

This CPP applies to all airport planning and decision-making efforts, whether or not directly supported by Federal assistance. This includes public meetings and hearings (e.g., meeting of the Board of Directors), not only meetings for a project that requires an environmental impact statement (EIS) or environmental assessment (EA).

The Airport Authority's planning processes that lead to decisions for projects or operations are:

Planning Processes

- **1.** Meetings of the Board of Directors to discuss airport projects and growth, long term planning, terminal building updates
- **2.** Public meeting to discuss upcoming construction projects and DBE/minority owned business opportunities
- **3.** Public meeting to discuss upcoming concessions and tenant opportunities at the airport and the participation by ACDBE/minority owned businesses

4.

5.

6.

The Airport Authority seeks public input for the above processes through the following methods:

Public Input Methods	Planning Process(es) that use each Method
A. Requests for comments from the public	#1
B. Request verbal comments related to upcoming projects and	#2, 3
opportunities for minority owned businesses	
C. Request written comments on the Airport Authority's efforts to	#2, 3
create a level playing field for minority owned businesses	
D.	#

3. Identification of and Focused Outreach to Affected Communities

See Community Statistics section of The Huntsville-Madison County Airport Authority Plan for a detailed discussion of Affected Communities-

The specific steps that the Airport Authority will take to communicate with, inform, educate, consult or solicit input from, and expand opportunities for engagement with, each Affected Community,⁴ are provided below.

Focused Outreach Steps

Key Community Reps.

Affected Community

	(CBOs, unions, leaders, etc.) ⁵	·					
i. Airport Surrounding Area (35824)	Diversity, Equity & Inclusion Director for the City of Huntsville; Mayor of Madison	a. Public meetingsb. Website postingsc. Social Mediad. Direct communications with key community reps					
ii. Madison (35758)	Mayor of Madison	a. Public meetingsb. Website postingsc. Social Mediad. Direct communications with key community reps					
iii. Triana County Line Road (35756)	Mayor of Madison; Mayor of Triana	a. Public meetingsb. Website postingsc. Social Mediad. Direct communications with key community reps					
iv							

⁴ "Affected communities" means any readily identifiable group impacted or potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path.

⁵ Potential representatives include chamber of commerce, environmental advocacy groups, business leaders, and labor groups. There representatives should have a close association with the community, with particular emphasis on connection to racial and ethnic minority groups within the communities, including limited English proficient populations, as well as other constituencies historically underserved by transportation programs, such as low income populations, and others.

4. Effective Communication

The Airport Authority will ensure that public engagement is effective, meaningful, and free of linguistic, economic, historical, and cultural barriers to participation. Every effort will be taken to ensure clear, plain, and effective communication with Affected Communities, including ensuring materials are in accessible formats for persons with disabilities and in languages other than English. See Limited English Proficiency (LEP) section of The Huntsville-Madison County Airport Authority Title VI Plan,

5. Communication Platforms

Diverse communication platforms will be utilized to effectively reach the broadest audience. The Airport Authority will use the following platforms to communicate project details, the Airport Authority's nondiscrimination obligations, and points of contact for the public to share project or operational feedback with the Airport Authority's office and the FAA.

Social Media, Monitors, and Other Communication Platforms

- 1 Website (https://www.portofhuntsville.com/non-discrimination-accessibility/)
- 2 Monitors or informational boards throughout the airport terminal building
- 3 Social media platforms such as Facebook, X (f/k/a Twitter) and LinkedIn

6. Records

This section includes the procedures that the Airport Authority will follow to document the Airport Authority's outreach efforts. Records for steps taken to provide outreach to Affected Communities will be maintained in the following locations:

Website, In-person, and Other Storage Methods

1 In-person in the office of the Responsible Official

2

Records will be kept for community input. The records will document how the Airport Authority considered, weighed, and incorporated input received. The records will include justifications for any decisions contrary to community feedback. The records will be stored in the following locations:

Website, In-person, and Other Storage Methods

1 In-person in the office of the Responsible Official

2

Records for demographics of participants will also be kept. Requested demographic information will include race, national origin, sexual orientation, gender identity, creed, age, disability, languages spoken, and community membership.⁶ Demographic information will be requested by the following methods:

Demographic Information Collection Methods

- 1 Voluntary submission of demographic information when requests for public comments are made
- **2** Voluntary submission of demographic information when community feedback is provided through website portals

CPP records will be made available to the public using the same methods for other information outlined within this plan.

⁶ This information is solicited to demonstrate compliance with Title VI and related requirements. See 49 CFR § 21.9(b); 49 U.S.C. § 47123; 28 CFR § 42.406; and FAA Order 1400.11.

7. Reporting Outcomes

Within 30 days of the end of each fiscal year (FY),⁷ the Airport Authority will create a CPP Report for the completed FY. The report will summarize efforts taken under this CPP in a narrative statement describing:

- 1. The specific steps taken to produce meaningful engagement with Affected Communities during the completed FY,
- 2. The results of those efforts for the completed FY, and
- 3. How the Affected Communities' comments and views are or will be incorporated into the decision-making process.

The CPP Reports will be included with The Huntsville-Madison County Airport Authority Title VI Plan.

⁷ The first report is required after the first complete fiscal year, after this plan is adopted. Information for activities during a partial year immediately following adoption of the plan will be included with the first full year's report.