

MEMORANDUM

Date: December 12, 2022
To: Darren Anderson, Carson City Public Works
From: NCE
Subject: East William Street Project - Title VI of the Civil Rights Act

The Carson City Public Works Department (City) is implementing combined projects for the East William Complete Streets and Utility Undergrounding (Project). The purpose of this memo is to inform environmental and planning tasks required for compliance with the National Environmental Protection Act. The area of focus for this technical memorandum is Title VI of the Civil Rights Act. FHWA requires recipients of federal funding to prevent discrimination based on race, skin color or national origin.

PROJECT DESCRIPTION

The project is located in Carson City County, Nevada, south of Reno and Washoe Lake (**Figure 1**, figures are provided in **Appendix A**). The project area established for the project runs along roughly 1.5 miles of East William Street for a total size of roughly 29.5 acres (**Figure 2**). Most of the project improvements will be placed within existing rights-of-way. Permanent and temporary construction easements on up to 30 parcels are proposed. The permanent easements are required for pedestrian ramps, sidewalks, utilities, and signal modification improvements. The temporary construction easements are required for construction of sidewalk improvements, pedestrian ramps, bus stops, landscaping, lighting, driveway transitions, utilities, grading, and signal modifications (see staging areas in **Figure 2**).

The project will provide roadway, bicycle, pedestrian, safety, beautification, and utility improvements to East William Street, creating an efficient multimodal roadway along one of Carson City's primary commercial corridors. The project specifically includes pavement rehabilitation and reconstruction treatments throughout the corridor, access management infrastructure to improve safety and circulation for commercial driveways and side streets, enhanced street lighting, a signalized pedestrian crossing, bus stop amenities to support a planned transit line along the corridor, electric vehicle charging stations at Mills Park, sidewalk infrastructure to establish compliance with the Americans with Disabilities Act (ADA), traffic signal infrastructure upgrades, added bike facilities, landscaping and streetscape beautification, undergrounding of overhead power and communication lines and

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upgrades to water, sewer, and storm water utility systems, including low-impact-development (LID) storm water infrastructure.

Proposed project activities were evaluated for potential impact to environmental justice as described below.

PROJECT SETTING AND GOALS

The Project is in Carson City, the capital of Nevada. Carson City encompasses about 157 square miles, with a population of about 59,000 people. East William Street is a primary east-west road connecting the downtown area with US Highway 50 and auxiliary Interstate 580.

East William Street (Project) was once part of US 50 and was designed to carry high traffic volumes. With the completion of I-580, East William Street was relinquished to Carson City in 2009. The Project will reconstruct and rehabilitate East Williams Street using a Complete Streets design.

There are no sidewalks in the older residential neighborhood at the western end of the Project. The middle and eastern part of East Williams Street has sidewalks in some areas, but there are gaps, and the pedestrian environment is not ideal. There are minimal-to-no bicycle facilities in most of the Project area. East William Street serves as a primary entry to a large community park, Mill Park. Better multi-modal access, including transit improvements, is desired near the park. East Williams Street is also an important route for students walking or cycling to Carson High School.

The stated goals of Carson City are to upgrade East William Street to facilitate comfortable, convenient, and safe travel for pedestrians and cyclists; increase driver safety; improve vehicular access to abutting businesses; spur private investment in this important and vibrant commercial corridor; and prepare Carson City for future Smart City advancements.

EVALUATION

Title VI of the Civil Rights Act of 1964 applies to federal financial assistance, in this case funding the East William Street Project. To follow the law, the City shall not use criteria, methods, or practices that discriminate based on race, color, or national origin.

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The U.S. Department of Transportation's Title VI regulations at 21 CFR Title 49¹ describes specific types of discriminatory actions that are prohibited. They generally fall under three legal categories:

1. *Disparate Treatment* (also called intentional discrimination) happens when similarly situated persons are treated differently because of their race, color, or national origin by a recipient of federal funds directly or through contractual or other arrangements.
2. *Disparate Impact* (also called adverse impact) discrimination occurs when a recipient of federal funds adopts a procedure or engages in a practice that has a disproportionate, adverse impact on individuals who are distinguishable based on their race, color, or national origin.
3. *Retaliation*. Just as funding recipients can not intentionally discriminate in their programs or activities, recipients are also prohibited from intentionally taking adverse actions against persons who exercise their rights under Title VI.

FHWA regulations require that state highway agencies (SHA) must conduct Title VI reviews for all programs and activities. In addition, SHAs are required to review those entities to which the SHA distributes federal funds such as cities, counties, and metropolitan planning organizations. U.S. Department of Justice regulations additionally provide that recipient entities must create a Title VI compliance program for themselves as well as subrecipients who receive federal financial assistance through them.

RESULTS

Carson City implements a Title VI Plan to avoid discrimination. The City does this in coordination with the Regional Transportation Commission (RTC) and Carson Area Metropolitan Planning Organization (CAMPO)². The Title VI Plan helps the Nevada Department of Transportation Civil Rights Office provide oversight of local projects. The non-discrimination policy of the Title VI Plan establishes the requirement that 'no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any

¹ FHWA Title VI: <https://www.fhwa.dot.gov/civilrights/programs/docs/Title%20VI%20-%20Types%20of%20Discrimination.pdf>

² CAMPO. 2020. <https://www.carson.org/home/showpublisheddocument/72272/637334513547930000>

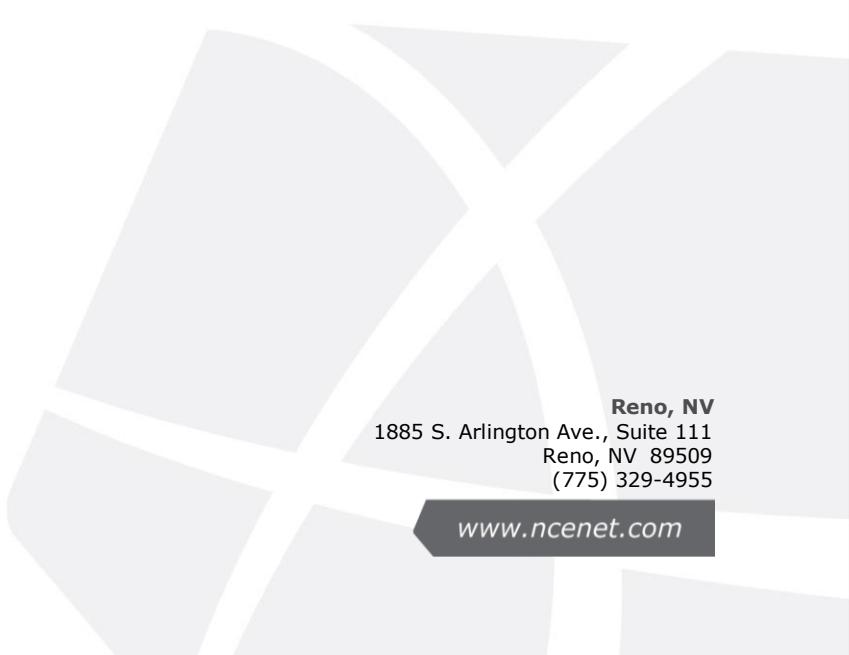
operation of the RTC or CAMPO as provided by Title VI of the Civil Rights Act of 1964 and related statutes.'

This policy applies to all operations of RTC and/or CAMPO, including its contractors and anyone who acts on their behalf. This policy also applies to the operations of any department or agency to which the RTC or CAMPO extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

To ensure legal compliance and avoid discrimination, the City, RTC, and CAMPO have adopted and routinely monitor non-discrimination metrics and standards. These standards guide program investments to meet federal regulations.

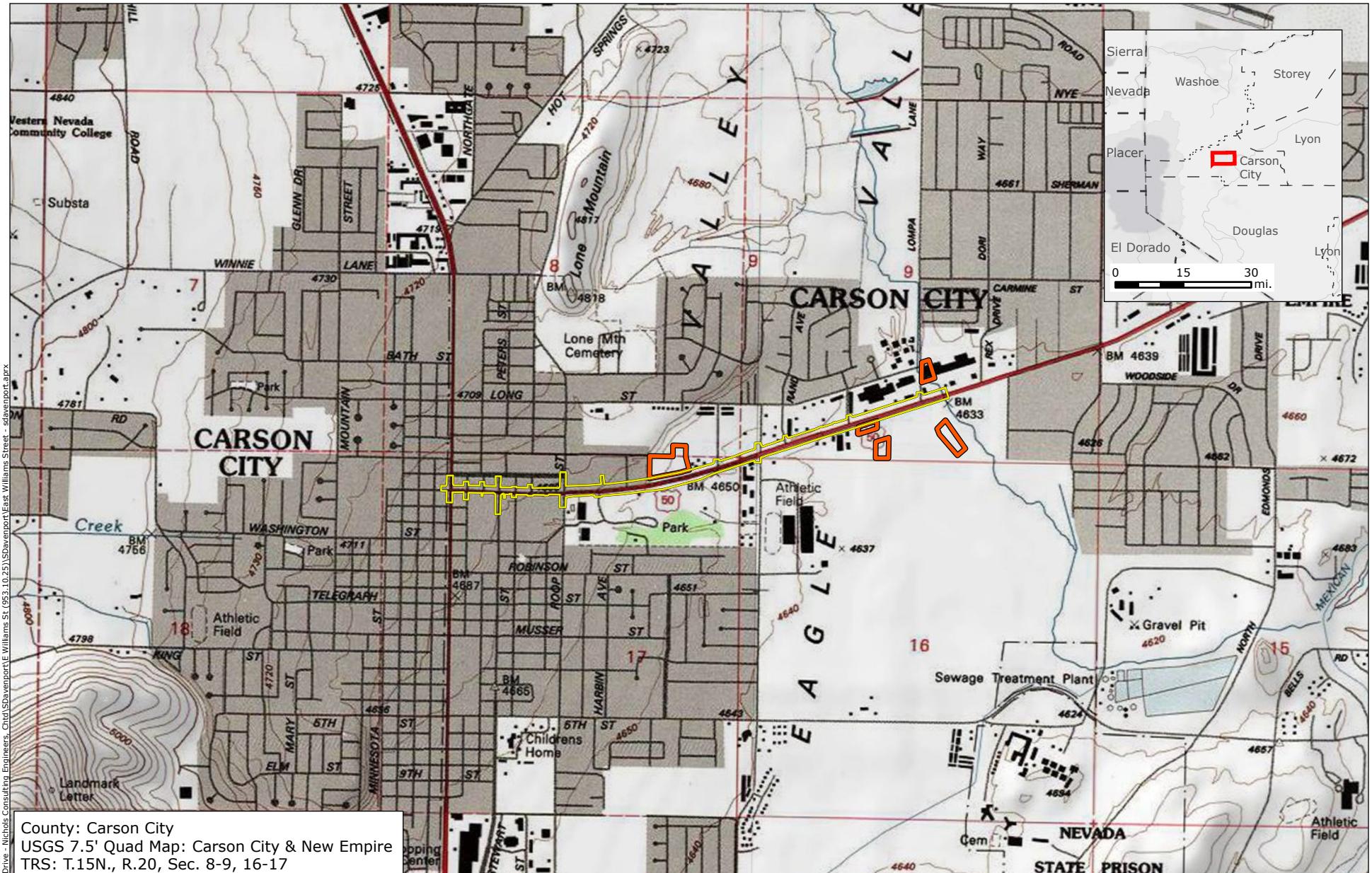
Therefore, it is NCE's opinion that the City, as a recipient of federal assistance funding, is compliant with Title VI of the Civil Rights Act. This is achieved by implementing policies, programs, and training to prevent discrimination based on race, color, or national origin.

Appendix A Figures



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Legend

- Project Area
- Potential Staging Area


East William Complete Streets and Utility Undergrounding Project
Project Vicinity Map


1:24,000

0 1,000 2,000
ft.

FIGURE**1**

SOURCE
ESRI USGS Topography Basemap

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953.10.25

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12/7/2022

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Legend

- Project Area
- Potential Staging Area



East William Complete Streets and Utility Undergrounding Project

Project Detail Map

SOURCE
Carson City Ortho Imagery

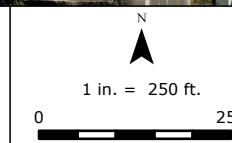
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**FIGURE
2a**


Legend

- Project Area
- Potential Staging Area


East William Complete Streets and Utility Undergrounding Project
Project Detail Map

SOURCE
Carson City Ortho Imagery

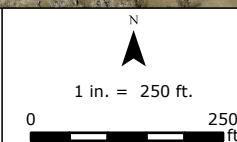
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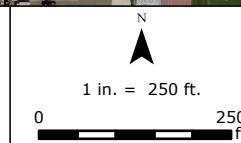
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FIGURE
2b

**Legend**

- Project Area (Yellow Box)
- Potential Staging Area (Orange Box)

**East William Complete Streets and Utility Undergrounding Project****Project Detail Map**

SOURCE
Carson City Ortho Imagery

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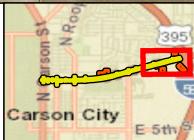


**FIGURE
2c**



Legend

- Project Area
- Potential Staging Area



East William Complete Streets and Utility Undergrounding Project

Project Detail Map

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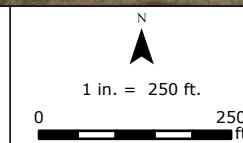


FIGURE
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