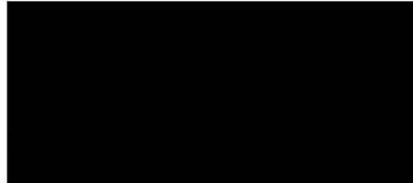




U.S. Department
of Transportation
**Federal Highway
Administration**

1200 New Jersey Avenue, SE.
Washington, DC 20590

In Reply Refer to: HCR-20
DOT# 2018-0354



Subject: Dismissal of Complaint DOT# 2018-0354

Dear 

This letter is to inform you that the Federal Highway Administration (FHWA) Office of Civil Rights has determined that it will dismiss the above complaint, which alleged violations that may be related to Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation (USDOT) Title VI implementation regulations at 49 C.F.R. Part 21 and/or FHWA's Title VI regulations at 23 C.F.R. Part 200 (hereinafter Title VI). Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. To be accepted for investigation, a complaint must meet the jurisdictional requirements described in FHWA's Investigations Manual, which conforms to the U.S. Department of Justice's procedures and standards for investigating complaints of discrimination. First, the complaint must be in writing. Second, it must describe an alleged discriminatory act that, if true, would fall under FHWA's jurisdiction and potentially violate FHWA's Title VI regulations. Finally, it must be filed within 180 calendar days of the alleged discriminatory act.

You alleged that you submitted written public comments on the Kern Council of Government's (KCOG's) 2018 Regional Transportation Plan and Sustainable Communities Strategy (Plan) and that KCOG's written responses to your comments mischaracterized your statements. You also alleged that when you notified KCOG of these issues, KCOG refused to issue a corrected version of the final Plan, which you alleged constituted discrimination based on your race as an African-American.

After careful consideration, FHWA has determined that the allegations and facts in your complaint do not meet the minimum criteria from which FHWA could establish a case of disparate treatment or impact under Title VI. For these reasons, this complaint will be dismissed by FHWA and closed with no further action.

If you have any questions, please contact Nichole McWhorter at (202) 366-1396.

Sincerely,

A handwritten signature in black ink, appearing to read "Nichole McWhorter". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nichole McWhorter
Title VI Team Leader
Office of Civil Rights

cc: Vincent Mammano, Division Administrator, FHWA CA Division Office
Paul Schneider, Assistant Division Administrator, FHWA CA Division Office
Will McClure, Civil Rights Specialist, FHWA CA Division Office
Losa Smith, Civil Rights/ROW Specialist, FHWA CA Division Office
Jim Esselman, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division,
Departmental Office of Civil Rights
Kevin Resler, National Title VI Program Coordinator, FHWA Office of Civil Rights