TITLE VI PROGRAM
Fiscal Years 2019 - 2021

UPDATES FOR
Fiscal Years 2016 – 2018

Corporate Office: **327 West Ship Creek Avenue**
Anchorage, Alaska 99501

Mailing Address: **P.O. Box 107500**
Anchorage, Alaska 99510-7500

Contact: **Tina Sellers Wareham, Deputy Chief Counsel**

Number: **(907) 265-2461 (office) / (907) 265-2443 (fax)**

Email: **sellerswarehamt@akrr.com** **Web site:** http://www.alaskarailroad.com

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I. ALASKA RAILROAD CORPORATION
TITLE VI POLICY STATEMENT

It is the policy of the Alaska Railroad Corporation ("ARRC") that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which the ARRC receives federal financial assistance from the United States Department of Transportation ("DOT"). The benefits and services of DOT-assisted activities shall be made available to, and be fairly and adequately distributed among, beneficiaries without regard to race, color, or national origin. The location of existing or proposed facilities and the provision of DOT-assisted services shall not deny access to any person on the basis of race, color, or national origin, and the communities that we serve shall not be adversely impacted on the basis of race, color, or national origin.

ALASKA RAILROAD CORPORATION

Dated: 9/21/18

Bill O'Leary
President and Chief Executive Officer

II. DEFINITIONS

A. **ARRC** - Alaska Railroad Corporation.

B. **DOT** - United States Department of Transportation.

C. **Discrimination** - Any action or inaction, whether intentional or unintentional, in any program or activity of the ARRC that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on color, race, or national origin.

D. **Disparate Impact** - A facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the ARRC lacks a legitimate justification and where there exists one or more alternatives that would serve the same legitimate objective but with less disproportionate effect on the basis of race, color, and national origin.

E. **Disparate Treatment** - Actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, and national origin.

F. **Federal Financial Assistance** - Funding from DOT, including:

1. grants and loans of DOT funds;
2. the grant or donation of DOT property and interests in property;
3. the detail of DOT personnel;
4. the sale and lease of, and the permission to use (on other than a casual or transient basis) DOT property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the ARRC, or in recognition of the public interest to be served by such sale or lease to the ARRC; and
5. any DOT agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

G. **FTA** - Federal Transit Administration.

H. **Limited English Proficient (LEP) Persons** - Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not well at all.

I. **Low Income** - A household income at or below the U.S. Department of Health and Human Services poverty guidelines.

2018 POVERTY GUIDELINES FOR ALASKA	
Persons in family/household	**Poverty guideline ($)**
For families/households with more than 8 persons, add $5,200 for each additional person.	
1	**15,180**
2	**20,580**
3	**25,980**
4	**31,380**
5	**36,780**
6	**42,180**
7	**47,580**
8	**52,980**

J. **Minority Persons** - Include the following:

1. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment;
2. Asian, which refers to people having origins in any if the original peoples of the Far East, Southeast Asia, or the Indian subcontinent;
3. Black or African American Populations, which refers to peoples having origins in any of the Black racial groups of Africa;
4. Hispanic or Latino Population, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race; and
5. Native Hawaiian and Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

K. **National Origin** - The particular nation in which a person was born, or where the person's parents or ancestors were born.

L. **Passenger Services** - The ARRC's provision of public transportation to passengers by rail.

M. **Provision of Facilities** - The construction, expansion, renovation, remodeling, alteration or acquisition of facilities.

N. **Public Transportation** - Regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income. The ARRC provides public transportation services to the general public.

O. **Service Area** - The geographic area in which the ARRC is authorized to provide service to the public.

P. **Service Standard/Policy** - An established service performance measure or policy used by the ARRC as a means to plan or distribute services and benefits within its service area.

Q. **Title VI** - Title VI of the Civil Rights Act of 1964, codified at 42 U.S.C. § 2000d.

III. GENERAL REQUIREMENTS AND GUIDELINES

A. Annual Certification and Assurances - ARRC will submit its Title VI Assurances as part of its annual Certification and Assurance submission to the Federal Transit Administration (FTA).

B. Complaint Procedures - In compliance with 49 CFR Section 21.9(b), ARRC has developed procedures for investigating and tracking Title VI complaints filed against it:

1. Complaint to ARRC

   a. Filing. Any person who believes that he or she has been subjected to discrimination on the basis of race, color, or national origin in the provision of ARRC services, programs, or activities may file a complaint with the ARRC Legal Department in person at 327 West Ship Creek Avenue, Anchorage, Alaska, by mail at P.O. Box 107500, Anchorage, Alaska 99510-7500, or by email at sellerswarehamt@akrr.com. A copy of the ARRC's Title VI Complaint Form is attached as Appendix A.

   b. Time of Filing. The complaint must be in writing and filed within 180 calendar days of the date of the alleged discriminatory act.

   c. Contents of Complaint. The complaint must state, at a minimum:

      (i) the details of each and every alleged discriminatory act;

      (ii) the date of the alleged discriminatory act;

      (iii) the identity of the ARRC employee who committed the alleged discriminatory act, if known;

      (iv) the basis of the alleged discrimination (race, color, or national origin); and

      (v) the relief sought by the complainant.

   d. Investigation and Resolution. The complaint will be investigated according to the procedures set forth in ARRC Policy 62-1, "Anti-Discrimination and Harassment," (except that the investigation shall be under the purview of the ARRC Legal Department rather than the Director, Labor Relations). Before a decision is issued, every effort to achieve a mutually satisfactory resolution to the complaint will be made. Complaints shall be tracked according to the normal procedures of the ARRC Legal Department for tracking all legal

matters. A copy of ARRC Policy 62-1, "Anti-Discrimination and Harassment" is attached as Appendix B.

e. Appeal. If the complainant is not satisfied with the decision on the complaint, he/she may appeal to the ARRC President and CEO within fifteen (15) calendar days of the issuance of the decision. The President and CEO will review the complaint and the results of the investigation and issue a decision within thirty (30) calendar days of the date on which the appeal was filed. The decision of the President and CEO shall be final.

2. Complaint to DOT

a. Any person who believes that he or she, individually or as a member of a specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin in the provision of passenger services by the ARRC may file a written complaint with the FTA or with DOT. A complaint must be filed within 180 calendar days of the date of the alleged discriminatory event.

b. The complaint will be processed in accordance with the complaint procedures of the FTA or the DOT, depending upon where the complaint is filed.

C. Recording Title VI Activities - In compliance with 49 CFR Section 21.9(b), ARRC will prepare and maintain a list of any active investigations (conducted by entities other than the FTA), lawsuits, or complaints naming ARRC that allege discrimination on the basis of race, color, or national origin. This list shall include:

1. Date the investigation, lawsuit, or complaint was filed;
2. Summary of the allegation(s);
3. The status of the investigation, lawsuit, or complaint; and
4. Actions taken by the ARRC in response to the investigation, lawsuit or complaint.

D. Providing Meaningful Access for Limited English Proficient (LEP) Persons - The ARRC will take steps to ensure meaningful access to the benefits, services, information, and other important portions of its programs and activities for LEP individuals. ARRC will assist LEP persons to participate in the transportation planning process and programs. ARRC staff will make every effort to provide translators and document translation, where feasible, upon request. A copy of the ARRC LEP Plan is attached as Appendix C.

E. Notifying Beneficiaries of Protection under Title VI - In compliance with 49 CFR Section 21.9(d), ARRC will provide information to the public regarding its Title VI

obligations and apprise members of the public of the protections against discrimination afforded them by Title VI. The ARRC's notice will include:

1. A statement that the ARRC operates programs without regard to race, color, and national origin;
2. A description of the procedures that members of the public should follow in order to request additional information on the ARRC's nondiscrimination obligations;
3. A description of the procedures that members of the public should follow in order to file a discrimination complaint against the ARRC.

A copy of the ARRC's current Title VI Notice is contained in Appendix D.

F. Providing Additional Information Upon Request - ARRC acknowledges that FTA may request information other than that which is required by FTA C 4702.1B in the investigation of discrimination or to resolve concerns about possible noncompliance with Title VI.

G. Preparing and Submitting a Title VI Program - ARRC acknowledges that its Title VI submissions and updates must be provided to the FTA Region 10, Civil Rights Office, once every three (3) years and will include the following:

1. A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income persons had meaningful access to the activity and/or services provided by the ARRC (Appendix E);

2. A copy of ARRC's LEP Plan (Appendix C);

3. A copy of ARRC's procedures for tracking and investigating Title VI complaints (Appendix B);

4. A list of Title VI investigations, complaints, or lawsuits that are currently active or have occurred in the past three (3) years (Appendix F);

5. A copy of ARRC's notice to the public that it complies with Title VI and instructions to the public on how to file a discrimination complaint (Appendix D).

H. Promoting Inclusive Public Participation - ARRC will seek out and consider the viewpoints of minority, low-income, and LEP populations in the course of conducting public outreach and involvement activities. In doing so, ARRC will offer early and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed ARRC decisions. In addition to following its LEP Plan, ARRC will endeavor to:

1. Coordinate with individuals, institutions, or organizations and implement community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities;

2. Provide opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments;

3. Use locations, facilities, and meeting times that are convenient and accessible to low-income and minority communities; and

4. Use different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities, so that communications are tailored to the particular community or population.

A copy of ARRC's Public Involvement Plan is attached as Appendix E, along with a summary of the ARRC's public involvement activities during 2016-2018.

I. Minority Representation on Planning and Advisory Bodies - The ARRC has no transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the ARRC.

J. Providing Assistance to and Monitoring Subrecipients - The ARRC has no subrecipients.

K. Determination of Site or Location of Facilities - In determining the site or location of facilities, ARRC does not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination on the grounds of race, color, or national origin.

1. The ARRC will conduct a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. The analysis will be conducted in accordance with 49 CFR Part 21 and the requirements of FTA Circular 4702.1B.

2. If ARRC determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, ARRC will only locate the project in that location if there is a substantial legitimate justification for locating the project there, and if there are no alternative locations that would have a less disparate impact on the basis of race, color, and national origin.

IV. Program Specific Requirements for Recipients Serving Large Urbanized Areas

The ARRC is located in an Urbanized Area of 200,000 or more, but is *not* among

the FTA Transit Providers in Urbanized Areas of 200,000 or more that operate 50 or more fixed route vehicles in peak service,[1] nor has it been placed in that category at the discretion of the Director of Civil Rights. Accordingly, the only further requirement placed upon the ARRC by FTA Circular 4702.1B is that of setting system-wide standards and policies.

A. Setting System-Wide Service Standards

In compliance with 49 CFR Section 21.5(b)(2) and (7) and Appendix C to 49 CFR part 21, the ARRC has adopted quantitative system-wide service standards using the following indicators:

1. Vehicle load - the ratio of passengers per vehicle or the ratio of passengers to the number of seats on a vehicle during a vehicle's maximum load point.

   The ARRC has the advantage of knowing in advance the number of passengers it will be serving on any given day. All riders have seats and there is never an issue of overcrowding or standing in the aisles. If bookings exceed expectations, extra passenger cars are added to the standard consists.

2. Vehicle headway - the time interval between two vehicles traveling in the same direction on the same route.

   On a daily basis from mid-May through mid-September:

   a. A southbound passenger train (the "Coastal Classic**"**) leaves Anchorage at 6:45 a.m., stops at Girdwood, Alaska at 8:05 a.m., and arrives in Seward, Alaska at 11:05 a.m. A northbound train departs Seward at 6:00 p.m.**,** stops at Girdwood at 8:55 p.m., and arrives in Anchorage at 10:25 p.m.

   b. A southbound passenger train (the "Glacier Discovery") leaves Anchorage at 9:45 a.m. and arrives in Whittier, Alaska at 12:30 p.m. A northbound train leaves Whittier at 6:45 p.m. and arrives in Anchorage at 9:15 p.m.

   c. ARRC offers the Spencer Whistle Stop service, a partnership between ARRC and the U.S. Forest Service, as part of the Glacier Discovery Train service. The train leaves Whittier at 12:45 p.m. via

1 The List of Recipients in UZAs of 200K with 50 or more Vehicles in Fixed Route Peak Service may be found at https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Grantees_by_Region_in_UZA_Pop200_with_50_Vehicles.pdf.

the DMU[2] and arrives in Portage at 1:15 p.m., leaves Portage at 1:25 p.m. and arrives at the Spencer Whistle Stop at 1:45 p.m., leaves Spencer Whistle Stop at 1:55 p.m. and arrives at Grandview at 3:20 p.m. The train leaves Grandview at 3:30 p.m., arrives at Spencer Whistle Stop at 4:30 p.m., leaves Spencer Whistle Stop at 4:40 p.m., arrives at Portage at 5:15 p.m., arrives at Whittier at 5:30 p.m., leaves Whittier at 6:45 p.m., arrives in Girdwood at 7:35 p.m., and arrives in Anchorage at 9:15 p.m.

d. A northbound passenger train (the "Denali Star") leaves Anchorage at 8:15 a.m. and arrives in Fairbanks at 8:00 p.m. This train stops at Wasilla at 9:35 a.m., Talkeetna at 11:25 a.m., and Denali National Park at 3:45 p.m. before arriving in Fairbanks, Alaska at 8:00 p.m. A southbound Denali Star leaves Fairbanks at 8:15 a.m. daily, stopping at Denali National Park at noon, Talkeetna at 4:40 p.m. and Wasilla at 6:05 p.m., before arriving at Anchorage at 8:00 p.m.

e. A northbound passenger train (the "Hurricane Turn") leaves Talkeetna, Alaska at 12:45 p.m. and travels north to Hurricane, Alaska (arriving 3:00 p.m.), providing a flag stop service along the 55-mile route. The schedule enroute depends upon the number of stops requested along the route and the amount of time each stop takes for boarding or disembarking and baggage service. The northbound Hurricane Turn operates approximately 1½ hours behind the northbound Denali Star. The southbound Hurricane Turn leaves Hurricane, Alaska, and travels south to Talkeetna (arriving 5:50 p.m.), providing the same flag stop service along the 55-mile route. The southbound schedule likewise depends upon the number of stops requested along the route and the amount of time needed at each stop for boarding or disembarking and baggage service. The southbound Hurricane Turn operates approximately one hour behind the southbound Denali Star.

From approximately mid-September through mid-May of each year:

a. On the first Thursday of each month, a passenger train (the "Hurricane Turn") leaves Anchorage, Alaska at 8:30 a.m., arrives in Wasilla at 10:05 a.m., leaves Talkeetna at 11:35 a.m. and then travels approximately 55 miles north, providing flag-stop service from Talkeetna to Hurricane, located approximately 66 miles south of Denali National Park. A southbound service departs Hurricane upon arrival of the northbound train, returning to Talkeetna, Wasilla and Anchorage on the same Thursday.

[2] The DMU was purchased with funds from the U.S. Department of Agriculture, U.S. Forest Service to provide the whistle stop service.

b. A north and southbound service (the "Aurora") operates between Anchorage and Fairbanks north on Saturdays and south on Sundays. These trains are the only passenger traffic on the ARRC system on Saturdays and Sundays between mid-September and mid-May. Additionally, ARRC operates weekday Aurora service on select dates during the winter season. During the 2018/2019 winter season, ARRC will operate northbound Aurora trains on: November 20; December 25 and 27; January 1; February 5, 7, 12, 19, 26, and 28; and March 5, 7, 12, 14, 19, 21, 26, and 28. The southbound Aurora will operate on: November 21; December 26 and 28; January 2; February 6, 8, 13, 20, and 27; and March 1, 6, 8, 13, 15, 20, 22, 27, and 29.

3. On-time performance - a measure of runs completed as scheduled, using the ARRC's definition of "on time" and "acceptable level of performance." See Appendix G.

4. Service availability - a general measure of the distribution of routes within the ARRC's service area. The ARRC operates on a fixed route system and therefore does not vary its physical routes within its service areas. Stops within the fixed route system are distributed according to population density and demands of the ridership.

C. Setting System-wide Service Policies. In compliance with 49 CFR Section 21.5(b)(2) and (b)(7), and Appendix C to 49 CFR Part 21, the ARRC has adopted system-wide service policies to guard against service design and operational policies that have a disparate impact. ARRC uses the following indicators:

1. Distribution of Transit Amenities - items of comfort and convenience available to the general riding public.

ARRC's Coastal Classic, Denali Star, and Glacier Discovery Trains all provide the same on-board service, including dining cars, restrooms and washbasins, potable water, tour guides, baggage service, no-smoking cars, and wheelchair accessibility.

On the Coastal Classic and the Denali Star routes, the ARRC offers Goldstar service in addition to its regular Adventure Class service. In addition to all amenities cited above, Goldstar service includes confirmed seating in the upper seats of the car, inclusive meals, and access to an outdoor viewing platform. Goldstar service is offered to the public at an additional cost over Adventure Class.

A review of other transit amenities mentioned in FTA Circular 4702.1B reveals:

- The ARRC has seating at all stop locations;
- The ARRC has shelters at all stop locations;
- The ARRC has schedules and brochures at all major depots;
- The ARRC has maps and schedules aboard all trains;
- The ARRC has waste receptacles at all but two conditional stops. [3]

2. Vehicle assignment -- the process by which transit vehicles are placed into service in depots and routes throughout ARRC's system.

   ARRC bases its assignment of vehicles solely upon passenger demand and the specific needs of the service offering. Assignment is not based upon the race, color, or national origin of the passengers using the service, nor upon the ethnic makeup of the communities served. On each passenger train, a minimum of one car is ADA-accessible. ARRC's standard vehicle assignments for each train are set forth in Appendix H.

V. Board Approval

The ARRC Board of Directors approved the ARRC Title VI Program (Fiscal Years 2019-2021) at its regularly scheduled meeting on September 25, 2018. A copy of the Board's approval resolution is attached as Appendix I.

3 This discussion does not include the ARRC's flag stop service, the Hurricane Turn.

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix A

ARRC Title VI Complaint Form

TITLE VI COMPLAINT FORM

The Alaska Railroad (ARRC) 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 any assistance in completing this form, please contact the ARRC Legal Department at (907) 265-2461. The completed form must be returned to the ARRC at P.O. Box 107500, Anchorage, AK 99510-7500, Attn: Legal Department.

(Please print)

Section I:

Name:_____

Address:_____

Telephone (Home):_____ (Work):_____

Email Address:_____

Accessible Format Requirement? ☐ Large Print ☐ Audio Tape ☐ TTY/TDD ☐ Other (specify)

Section II:

I believe the discrimination I experienced was based on (check all that apply):

☐ **Race** ☐ **Color** ☐ **National Origin**

Date of the Alleged Discrimination (Month, Day, Year):_____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person (s) who discriminated against you (if known) as well as names and contact information for any witnesses. If more space is needed, please use the back of this form or attach additional sheets.

_____

_____

_____

_____

_____

_____

_____

*****Continued Next Page*****

Section III: Have you filed this complaint with any other Federal, State, or local agency or with any Federal or State court? ☐ Yes ☐ No

If you have filed this complaint with another entity, please provide the information below:

Agency:_____

Contact Name:_____

Address:_____

Telephone Number:_____

Please attach any written material or other information that you think is relevant to your complaint.

Section IV:

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Complainant's Signature:_____

Please Print Name:_____

Date:_____

Please submit this complaint form to:

Alaska Railroad Corporation
P.O. Box 107500
Anchorage, AK 99510-7500

Attn: Legal Department

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix B

ARRC Policy 62-1
Anti-Discrimination & Harassment Policy

I. POLICY

The Alaska Railroad Corporation (ARRC) is an equal employment opportunity employer. The ARRC complies with all applicable laws that prohibit discrimination and harassment in the workplace. It is the policy of the ARRC to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, age, disability, genetic information, national origin, marital status, change in marital status, pregnancy or parenthood when the reasonable demands of the position do not require distinction on the basis of age, physical or mental disability, sex, marital status, change in marital status, pregnancy, or parenthood. Through enforcement of this policy and by education of employees, the ARRC will seek to prevent, correct and appropriately address behavior that violates this policy.

The ARRC expects all employees to support this policy and to comply with all applicable laws prohibiting discrimination, harassment, and retaliation in employment

No adverse employment action will be taken against any individual for exercising his or her rights under applicable law, making a good faith complaint, or assisting in an investigation under this policy. Retaliation for any such protected activity is strictly prohibited, is unlawful, and will be dealt with immediately.

II. PURPOSE:

This policy defines prohibited discrimination and harassment and outlines responsibilities for compliance. This policy clarifies procedures available to ARRC employees and applicants who believe that they have been discriminated against or denied equal employment opportunity in any aspect of employment because of race, color, religion, gender, age, disability, genetic information, national origin, marital status, change in marital status, pregnancy or parenthood, when the reasonable demands of the position do not require distinction on the basis of age, physical or mental disability, sex, marital status, change in marital status, pregnancy, or parenthood. These factors or characteristics are referred to as "protected class status."

III. COVERAGE:

This policy applies to all ARRC employees and applicants for employment. This policy applies to conduct on ARRC property, on ARRC business, and in any location during work time. It also applies to conduct outside of the ARRC, such as during social or business occasions and events, if the improper conduct adversely impacts the employee's work environment.

IV. DISTRIBUTION:

This policy is provided to all ARRC employees, unions, and to the general public upon request. This policy is available on the ARRC intranet and website. Managers and supervisors must ensure that employees without email access receive a hard copy of this policy.

V. REFERENCES/AUTHORITY:

A. Federal
1. Title VII of the Civil Rights Act of 1964 (as amended)
2. Age Discrimination in Employment Act of 1967
3. Section 504 of the Rehabilitation Act of 1973 Pregnancy Discrimination Act of 1978
4. The Americans with Disability Act
5. Uniform Guidelines on Employee Selection Procedures" 41 CFR Part 60-3," and 29 CFR Part 1607
6. Equal Pay Act of 1963
7. Civil Rights Act of 1991
8. Family & Medical Leave Act
9. Genetic Information Nondiscrimination Act of 2008

B. State
1. Alaska Human Rights Act, Alaska Statutes (AS) 18.80.010 et seq.
2. Pregnancy, Childbirth and Family Leave, AS 23.10.500-23.10.550

VI. RESPONSIBILITIES:

A. *All Employees* are responsible for supporting and complying with this policy through their individual conduct and by treating each other equitably and respectfully without regard to protected class status.

B. *Director, Labor Relations* is responsible for the interpretation of this policy and investigation of complaints of discrimination, harassment, and retaliation.

C. *Office of the General Counsel* is responsible for the legal interpretation of this policy and for assisting in its implementation.

D. *Vice Presidents, Directors, Managers, and Supervisors* are responsible for monitoring and addressing unlawful conduct and behavior in the workplace and taking appropriate and timely correction when a problem is discovered.

VII. DEFINITIONS:

A. *Age Discrimination* – Is an adverse employment action taken against an employee or applicant for employment that is based upon the individual's age, unless the reasonable demands of the position require distinction on the basis of age or the challenged action is lawfully based upon a reasonable factor other than age. Age discrimination occurs when the individual's age is the "but for" cause of the challenged adverse employment action.

B. *Color Discrimination* – Color is an unalterable physical characteristic which may or may not be specifically associated with race. Discrimination on the basis of color may occur when individuals are treated differently because of their skin color. For example, color discrimination may occur when African American individuals are treated differently based on their lighter or darker complexion. Color discrimination may occur in the absence of, or in conjunction with, race discrimination.

C. *Discrimination* – Any act or failure to act based on an individual's protected class status, and/or reprisal, that adversely affects privileges, benefits, working conditions, results in disparate treatment, or has a disparate impact on an individual.

D. *Disability Discrimination* – Occurs when a qualified individual with a disability is treated less favorably because the individual: (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of having had such impairment; or (3) is regarding as having such impairment. Major life activities include, but are not limited to: hearing, speaking, breathing, seeing, learning, walking, etc. An individual who has been discriminated

against because he or she has a known association or relationship with a disabled individual is also protected under the law.

E. *Disparate Treatment* – The act of treating an employee or applicant for employment differently based up the individual's membership in a protected class.

F. *Disparate Impact* – Results when an employer has policies or practices that are neutral on their face but have the effect of disproportionately impacting an individual or group of individuals based upon their membership in a protected class, and the policy or practice is not job-related for the position and consistent with business necessity.

G. *Equal Employment Opportunity (EEO)* – Is a body of laws that prohibit discrimination with regard to terms, conditions, or privileges of employment, including recruiting, hiring, assignment, compensation, benefits, promotions, demotions, transfers, discipline and termination, and any form of unlawful harassment based on protected class status.

H. Harassment

1. *Hostile / Offensive Work Environment* – A hostile work environment results when there is discriminatory conduct or behavior in the work place that is unwelcome and offensive to an individual or a group of individuals based on protected class status. An unlawful work environment may include the inappropriate use of unwelcome slurs, jokes, or other verbal or physical conduct. In order to be unlawful, the conduct must be (a) based upon a protected class status; (b) unreasonable; (c) adversely interfere with an individual's ability to perform his or her job or advance in his or her career; and (d) create an uncomfortable, intimidating and offensive work environment. The law considers a hostile work environment to be one where communication or conduct is "severe" and "pervasive" enough that the employee(s) and a "reasonable person" would find it to be hostile and abusive. In most cases, a single isolated instance does not constitute a hostile work environment.

2. Sexual (Gender) Harassment – Sexual harassment can range from unwelcome sexual advances, requests for sexual favors, and/or other

verbal or physical conduct of a sexual nature based on one or more of the following conditions: (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

I. *National Origin Discrimination* – Occurs when an individual suffers adverse employment treatment based upon the fact that the individual is from a particular country or part of the world, because of the person's ethnicity or accent, because they appear to be of a certain ethnic background, or because the individual is married to or associated with a person of a particular national origin.

J. *Protected Class* – Is a term used in state and federal anti-discrimination law. The term describes characteristics or factors that cannot be targeted for discrimination and harassment. The following characteristics are considered "protected classes" under law and individuals cannot be discriminated against based on these characteristics: race, color, religion, gender, age, disability, genetic information, national origin, marital status, change in marital status, pregnancy or parenthood.

K. *Race* – Race may be defined broadly as a group of persons related by a common descent or heredity. The entities that enforce racial discrimination laws include many other factors within the term "race," however, including physical characteristics associated with a particular race; illnesses associated with a race (such as sickle cell anemia); cultural characteristics associated with race, such as one's name, cultural dress, accent, or manner of speech; and an individual's relationship or association with an individual of a particular race.

L. *Religion* – For purposes of religious discrimination, the term "religion" means all aspects of religious observance and practice, as well as belief. It also includes moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.

M. *Retaliation or Reprisal* – Taking any form of adverse employment action against an individual because he or she filed a complaint of discrimination or served as

a witness, representative, investigator, or other participant in connection with a complaint of discrimination.

N. *Sex (Gender) Discrimination* – Occurs when a male or female is treated differently because of his or her gender. Sex discrimination also includes sexual harassment.

VIII. COMPLAINTS OF DISCRIMINATION, HARASSMENT, OR RETALIATION:

The ARRC encourages reporting of all perceived incidents of discrimination, harassment, or retaliation. Individuals who believe they have been the victim of any form of discrimination, harassment, or retaliation may discuss their concerns with anyone in their chain of command, their Union representative (for union members), or the Director of Labor Relations, or they may file a *Complaint of Discrimination.*

The ARRC encourages individuals who believe they are being subjected to harassment to advise the offender(s) promptly that his, her, or their behavior is unwelcome and to request that it stop. This is not, however, a requirement prior to making a complaint, and it is not a substitute for the complaint procedure described above.

A. Complaint Process:

1. Complaints must be filed within 180 calendar days of the alleged incident(s) giving rise to the complaint. Complaints filed outside of this time frame are considered untimely and will not be accepted for review.

2. An individual or applicant for employment (complainant) who believes he or she is being harassed, discriminated or retaliated against may initiate the Complaint Process by filing a written and signed statement with the Director, Labor Relations (Director). The complaint must contain sufficient details to allow the Director to determine if the policy may have been violated. The complainant may be required to complete the ARRC Complaint of Discrimination form.

3. If a complainant needs assistance with the preparation and/or presentation of a discrimination complaint, the complainant may designate a co-worker or a union representative to assist him or her. An applicant for employment may have any non-lawyer individual assist him or her. The representative

may participate in the complaint process along with the complainant.

4. Within five business days of receipt of a complaint, the Director will notify the applicable vice president (VP) of the complaint.

5. Complaints will be investigated impartially and promptly by the Director. The investigation will include interviews of the complainant, the respondent, and other individuals(s) who may have relevant knowledge. Investigations should be completed within 30 calendar days from receipt of a complaint unless legitimate circumstances necessitate a longer period. The Director will keep the complainant informed of any extra time needed to complete the investigation.

6. Upon conclusion of the investigation, the Director will issue a report of findings which shall include findings, determinations, and recommendations. The Director will meet with the respondent's VP to discuss the report. A copy will be sent to Office of the General Counsel and the Chief Financial Officer. If the Director finds that prohibited conduct has occurred and the conduct constitutes a violation of this Policy, the respondent's VP will take effective and appropriate corrective action. The VP is the responsible authority for determining corrective action but shall confer with the Director and/or the Office of the General Counsel. If the Director finds that prohibited conduct has not occurred, the complainant will be notified and the case will be closed.

7. Corrective action may include discipline up to and including suspension or termination. Corrective action shall be appropriate for the conduct and consistent with this policy. Discipline for non-represented employees must comply with Policy & Procedure 61-1, Corrective Actions and Disciplinary Actions for All ARRC Executive and Key Executive Employees. Discipline for represented employees must comply with the discipline process outlined in the applicable collective bargaining agreement.

8. Disciplinary action which may be taken as a result of an investigation is confidential and shall not be disclosed to another party except on a legitimate need to know basis.

9. Immediately following the meeting with the VP, the Director will issue a notice of findings to the complainant(s) and respondent(s). The notice will

inform the parties that the investigation has concluded and a report has been submitted to the respondent's VP. The notice will identify the findings, e.g., the alleged conduct constituted a violation of the policy, the alleged conduct did not constitute a violation of the policy. Any party to the complaint may request a meeting with the Director and/or the VP regarding the notice.

10. No adverse action will be taken against an individual for exercising his or her rights under applicable law or for making a good faith complaint or assisting in an investigation under this policy. Any threats or attempts at retaliation must be reported to the Director or Human Resources Director immediately.

11. Complaints of discrimination or harassment and any information received during the course of an investigation and the resolution of an investigation will be kept strictly confidential. Availability of this information will only be to those individuals with a legitimate need to know, as determined by the ARRC, unless required by law to be divulged.

12. All individuals, including the complainant, who are involved in the investigation, are expected to use discretion in maintaining the confidentiality of information and documents generated or discussed during the investigation. This provision does not restrict an individual's ability to exercise his or her rights under applicable law.

B. Complaint Appeal:

1. If the complainant is not satisfied with the findings, the complainant may file appeal to the ARRC's President and CEO (CEO) within 15 calendar days of receipt of the notice of findings.

2. The appeal must be submitted in writing and specify the grounds on which the complainant is appealing the notice of findings.

3. The CEO will issue a written decision within 30 calendar days of receipt of the appeal. The CEO may attempt an informal resolution prior to issuing a written decision. The decision of the CEO shall be final.

Nothing in this policy shall prevent the complainant from pursing formal legal remedies

or resolution through state or federal agencies or the court.

IX. RESPONSIBLE DIVISION/DEPARTMENT:

The Labor Relations Department and Office of the General Counsel are responsible for the periodic review and update of this policy and procedure.

X. APPENDICES AND FORMS

Appendix A – ARRC Complaint of Discrimination Form
Appendix B – ARRC Designation of Representative Form

Alaska Railroad Corporation
Complaint of Discrimination

(*Please Type or Print*)

1. Complainant's Name: _____ ARRC Location_____

Home Address: _____

State, Zip Code: _____

Home/Cell Phone: _____ Work Phone: _____

2. Individual who you believe discriminated against you?

_____

Division/Office:_____

ARRC Location:_____

3. You believe this individual discriminated against you on the basis of your: (check all that apply)

___age ___race ___sex ___color ___national origin ___disability ___religion ___pregnancy ___marital status

___change in marital status ___parenthood; or ___in retaliation for your having engaged in protected activity.

If your complaint is not based upon one of the above protected classes, you may not have an EEO claim. If that is the case, you should refer to ARRC Policy 64-8, ARRC Policy 61-1, or consult with your union representative, whichever is applicable to you.

4. State the facts regarding the specific incident(s) of discrimination that you are claiming, including the date of the incident and the exact way in which you believe you were discriminated against.

5. Have you discussed your complaint with a manager or supervisor? Yes ___ No ___ If yes, with whom and when?

Name:_____ Date_____

6. Have you filed a complaint about this incident with an outside agency (Alaska Human Rights Commission, EEOC, etc.)?

No_____ Yes_____ If yes, which agency?_____

7. Complainant's Signature:

_____ Date_____

Note: The complainant must sign this complaint personally.

For ARRC Use Only:

Date Received:

Appendix B

ALASKA RAILROAD CORPORATION
COMPLAINT OF DISCRIMINATION
DESIGNATION OF NON-LAWYER REPRESENTATIVE

I, _____, hereby designate _____, to
(Complainant) (Printed Name/Title of Representative)
Act as my Representative in the matter(s) pertaining to my complaint of discrimination filed with the Alaska Railroad Corporation on the date below. Even though I have a designated representative, I understand it is still my responsibility to cooperatively participate in the investigation of my complaint.

I understand that the authority and responsibilities granted to the above-named individual, by virtue of this designation, may be terminated by me at any time. Should this occur, I will notify the Director of Labor Relations in writing of my decision.

Check one and complete as appropriate:

1. [ ] By designating the individual named above as my representative, I understand that all official correspondence with be sent to my representative with copies to me.

   Check the preferred method of contact:

   [ ] Telephone No (w/ area code): _____

   [ ] Email address: _____

   [ ] Mailing address: _____

   _____

2. [ ] I am requesting that all correspondence be sent to:

   Check the preferred method of contact:

   [ ] Individual Name _____

   [ ] Email address: _____

   [ ] Mailing address: _____

   _____

Complainant Signature: _____ **Date:** _____

Printed Name: _____

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix C

ARRC Limited English Proficiency Plan
Revised 2018

Alaska Railroad Corporation

Limited English Proficiency Plan

Revised 2018

I. Introduction

This Limited English Proficiency (LEP) Plan addresses the Alaska Railroad Corporation's ("ARRC") responsibility for providing assistance to LEP persons in accordance with Title VI of the Civil Rights Act of 1964, which states that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

II. LEP Defined

LEP is a term used to describe individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

III. Four Factor Analysis

In order to determine the reasonable steps that ARRC must take to ensure that LEP persons have meaningful access to ARRC services, activities, and programs, it is necessity to undertake an analysis based upon the United States Department of Transportation's Four Factor Test as follows:

1. **The number or proportion of LEP persons eligible in the ARRC service area who may be served or likely to encounter an ARRC program, activity or service.**

ARRC provides transportation services to local, national, and international passengers. It is ARRC's experience that limited and non-English speakers most often travel in tour groups, with a group leader who translates and communicates with the group.

ARRC has examined the most current U.S. Census report for major Alaska rail belt boroughs and continues to track demographic changes through other local resources, including the Alaska Department of Labor and Workforce Development Research & Analysis Section; University of Alaska Anchorage, Institute of Social and Economic Research; and the Anchorage School District (ASD), which is one of the most diverse districts in the country.

In 2016, the American Community Survey found that 110,312 (16.2%) of Alaskans spoke a language other than English. In the largest borough along the rail belt, the Municipality of Anchorage, 48,516 (17.5%) of residents indicated they spoke a language other than English.

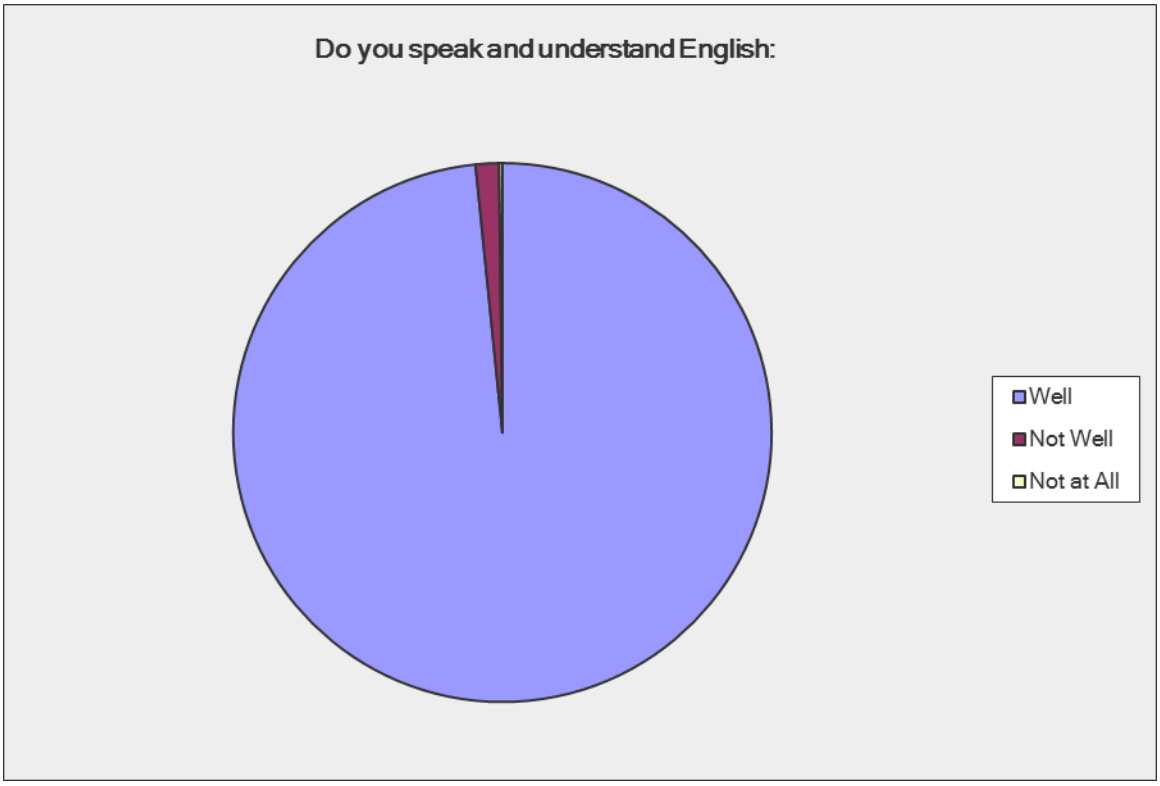
The statewide top five non-English languages spoken were Yu'pik, Inupiaq, Spanish, Tagalog and Russian.

In 2017, Anchorage School District students spoke 100 different languages at home. After English, the five most common home languages in schools were Spanish, Samoan, Hmong, Filipino, and Yu'pik.

Although the above statistics are instructive, a better indicator of the number of LEP individuals who actually come into contact with the ARRC's most important activity—its public transportation service—may be derived from the on-board surveys conducted by the ARRC.

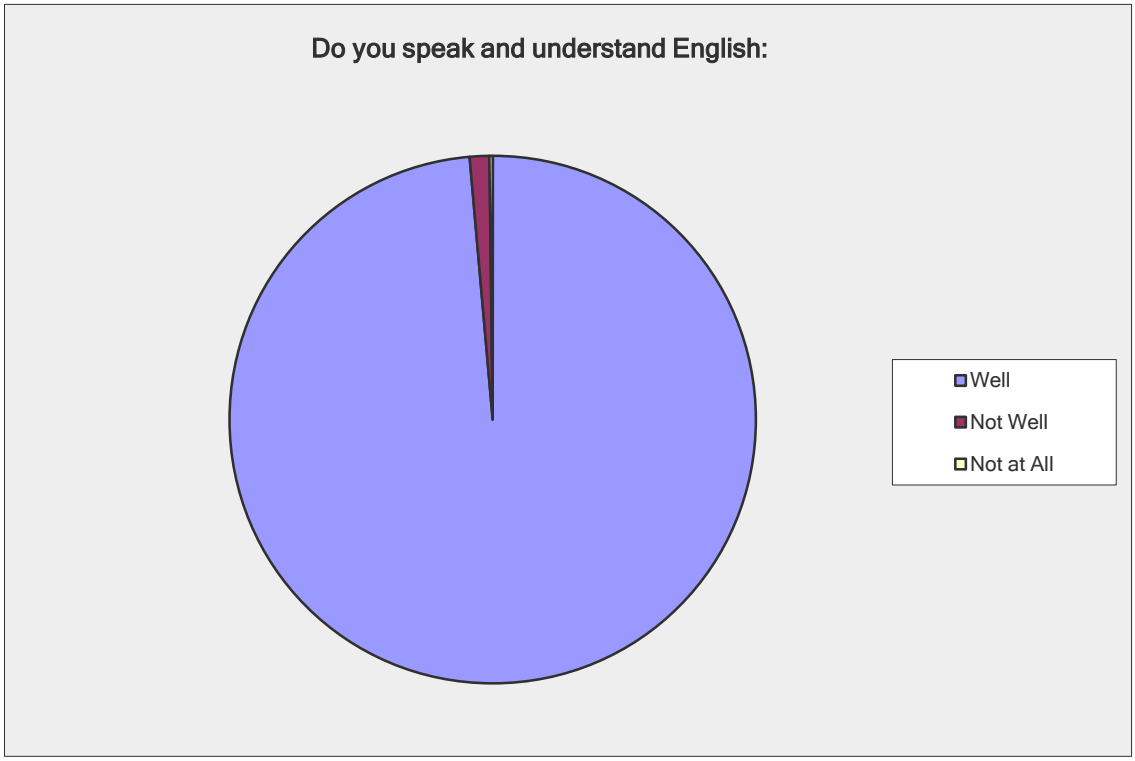
The survey results for 2016 show:

Do you speak and understand English:		
Answer Options	**Response Percent**	**Response Count**
Well	98.0%	6,325
Not Well	1.9%	123
Not at All	0.1%	8
If not, what language do you speak?		8
	answered question	6,456
	skipped question	334



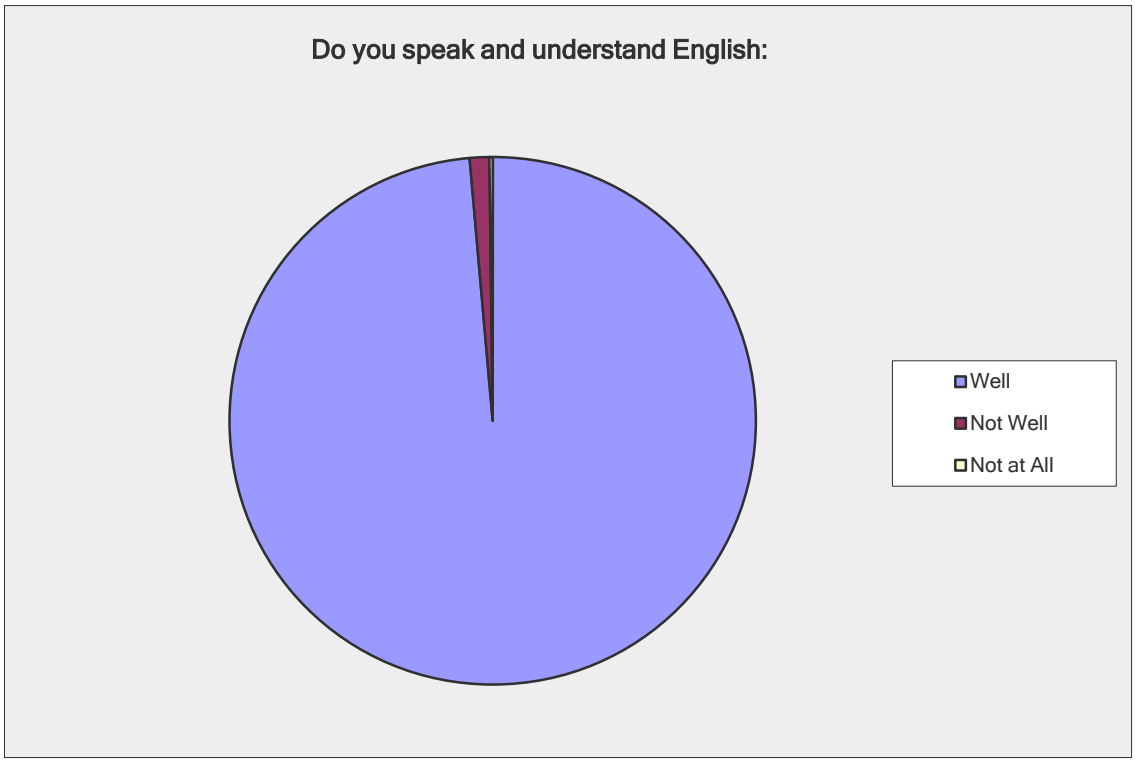
The survey results for 2017 show:

Do you speak and understand English:		
Answer Options	**Response Percent**	**Response Count**
Well	98.5%	7,525
Not Well	1.2%	95
Not at All	0.3%	21
If not, what language do you speak?		12
	answered question	**7,641**
	skipped question	**593**



The survey results for 2018 to date show:

Do you speak and understand English:		
Answer Options	**Response Percent**	**Response Count**
Well	98.7%	1873
Not Well	1.1%	21
Not at All	0.2%	3
If not, what language do you speak?		1
answered question		**1897**
skipped question		**112**



2. The frequency with which LEP individuals come in contact with an ARRC program, activity or service.

The most frequent way in which LEP persons come into contact with an ARRC service is through ARRC's provision of public transportation, which is busiest from mid-May through mid-September of each year (peak). During that period, ARRC operates four regular rail services per day. During the less busy times of the year, ARRC operates passenger trains to Fairbanks on a weekly basis and the Hurricane Turn the first Thursday of each month. Information regarding LEP ridership 2016 to 2018 (to date) is set forth above.

LEP persons would most likely come into contact with ARRC's other programs and activities through the public participation opportunities offered in connection with ARRC's capital projects and other programs. From 2001 to date, the ARRC has held hundreds of public meetings on various issues, including capital projects, its Disadvantaged Business Enterprise Program, and environmental concerns.

ARRC's public transportation schedules and brochures, as well as all notices for public meetings, contain information informing potential travelers and meeting attendees that special services are available by contacting ARRC. No individuals have ever contacted ARRC for assistance with English or any other language. When the need to speak with passengers in any language other than English has arisen, ARRC has been able to accommodate the passengers' needs through ARRC staff members who speak languages other than English.

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

In the Alaska Railroad Corporation Act, AS 42.40.010 *et seq*., the Alaska Legislature declared it is the policy of the State "to provide safe, economical, and efficient transportation to residents, businesses, visitors, and military installations in the state." Further, "[t]he continued operation of the Alaska Railroad … is considered an essential government function of the state." AS 42.40.010. Thus, it is clear that the ARRC's provision of public transportation to the people of the State of Alaska, both LEP and non-LEP alike, is of great importance.

ARRC provides public transportation on a fixed route rail system from Seward, Alaska to Fairbanks, Alaska and points in between. Some ARRC services, such as the Glacier Discovery and the Hurricane Turn, serve areas in which the railroad is the only mode of transportation for the residents. These areas are not populated by LEP persons, however. ARRC's other programs and activities, such as its DBE program and capital projects programs, are of great importance to the communities along the Railbelt, and LEP persons may be impacted by those programs.

4. The resources available to ARRC and overall costs.

ARRC has assessed its available resources that could be used for LEP assistance. ARRC participated and supported a local partnership to develop a centralized Language Interpreter Center, which was established in 2007 as a demonstration project funded in part by FTA. Interpreters have received formal training on appropriate interpretation and translation.

IV. LEP Plan Outline for Providing Meaningful Access

Having considered the Department of Transportation's Four Factor test set forth above, the ARRC has developed the following steps for assisting LEP persons:

1. **Perform a needs assessment and identify persons who may need language assistance. ARRC will:**

- Analyze the onboard and online passenger survey data to determine if translation and language assistance needs, if any, are being met;
- Assess whether there are LEP persons in a project area who could be potentially impacted;
- Review and analyze attendees for the public meetings and activities;
- Monitor the ARRC's ridership survey results to keep apprised of changes; and
- Make the "I Speak Cards" available to passenger reservations and follow-up with reservations and on-board staff to determine usage. The "I Speak Cards" will be available to any other segment of the ARRC when desired for public activities.

2. **Provide for oral language assistance**

- Oral language assistance will be provided to LEP persons free of charge upon request;
- ARRC will ensure that it advertises and posts that LEP assistance is available;
- ARRC will continue to collaborate with community partners to support the centralized Language Interpreter Center; and
- If ARRC is unable to provide assistance to LEP persons through the use of the Language Interpreter Center or ARRC staff, ARRC will utilize reputable online translation services, such as Languageline.com or a similar program.

3. **Notify LEP customers of availability of language assistance services**

- ARRC will advertise that LEP assistance is available at no cost to LEP persons; and
- Notice of the availability of LEP assistance will be published in schedules and general announcements and will be posted in public areas, e.g., depots and open houses.

4. **Translation of vital documents in languages other than English**

ARRC will monitor the demographics of its customers and determine whether the translation of documents may be necessary.

5. Train Staff

ARRC Staff will be trained on ARRC's obligation to provide assistance to LEP persons. The training will include:

- Understanding Title VI and the ARRC's LEP responsibilities;
- The languages in which the ARRC can provide assistance;
- The use of the "I Speak Cards";
- ARRC reservation system and translation abilities;
- Documentation of language assistance requests;
- How to coordinate obtaining language assistance; and
- How to handle a Title VI or LEP complaint.

6. Develop guidance for employees

ARRC will provide guidance to employees on the following:

- Identifying and assessing language needs;
- Coordinating oral language assistance; including vendor charges for services, and procedures for accessing and requesting translation assistance;
- Coordinating written translation of materials and publications (as needed);
- Notifying persons of language assistance services; and
- Monitoring access to language assistance.

V. Monitoring, Assessing and Updating the LEP Plan

ARRC will monitor and evaluate its provision of assistance to LEP persons to ensure that they have meaningful access to ARRC programs and activities. ARRC will monitor and assess:

- The current LEP composition of ARRC's service area;
- The current communication needs of LEP persons;
- Whether existing assistance meets LEP needs;
- Whether staff is knowledgeable about policies and procedures and how to implement them;
- Whether sources of and arrangements for assistance are still current and viable.
- How many LEP requests have been made and how each was addressed;
- Whether the needs of LEP individual(s) have been met;
- Whether there have been changes in primary languages spoken in the service area;
- The need, if any, for the translation of documents;

- Technology changes, staff changes and changes in available resources;
- The adequacy of existing services;
- Whether the ARRC has fulfilled the purpose of the LEP Plan; and
- Whether any complaints have been received.

In order to monitor and assess ARRC's provision of assistance to LEP persons, ARRC will maintain records of the following:

- Race of LEP persons requesting assistance (voluntary);
- Ethnicity of LEP person requesting assistance (voluntary);
- Number of LEP persons in attendance at public meetings;
- Primary language of the population in a given project area;
- Number of LEP persons, by language group, who have received language services from ARRC.

VI. Dissemination of the ARRC LEP Plan

The LEP Plan is included as part the ARRCs Title VI Plan and is posted on the ARRC website at www.alaskarailroad.com. The notice of rights is posted on the internet, in ARRC facilities and railcars, and will be made available upon request from:

ARRC Deputy Chief Counsel
P.O. Box 107500
Anchorage, AK 99510-7500
Fax: (907) 265-2443 or email: sellerswarehamt@akrr.com
(907) 265-2461

Guidance/Resources

The resources listed below will assist in implementing LEP requirements and may be used in conjunction with this LEP plan.

- U.S. Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons, Federal Register Vol. 70, No. 239 (Dec. 14, 2005).
- U.S. Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons, A Handbook for Public Transportation Providers, prepared by FTA Office of Civil Rights, April 13, 2007.
- U.S. Department of Transportation Guidance to Recipients on Special Language Services to Limited English Proficient Beneficiaries, Federal Register Vol. 66, No. 14, January 22, 2001.
- U.S. Department of Justice Policy Guidance, Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination Against Persons With Limited

English Proficiency, Federal Register Vol. 65, No. 159, August 16, 2000.

- U.S. Department of Justice Clarifying Memorandum, dated October 26, 2001. https://www.justice.gov/crt/federal-coordination-and-compliance-section-201.
- U.S. Department of Justice, Tips and Tools for Reaching Limited English Proficient Communities in Emergency Preparedness, Response, and Recovery, prepared by Civil Rights Division, 2016.
- The Alaska Language Interpreter Center, http://www.akijp.org/language-interpreter-center/.
- How to Engage Low-Literacy and Limited English Populations in Transportation Decision Making – US Department of Transportation, Federal Highway Administration, February 2006.
- U.S. Department of Justice, "I Speak" cards and/or Social Security Administration poster.
- Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance, https://www.lep.gov/resources/selfassesstool.pdf.

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix D

Notice of Rights to Beneficiaries

Title VI
Public Notice of Rights

Your Rights Under Title VI of the Civil Rights Act of 1964

The United States Department of Transportation (DOT) ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color or national origin in the provision of benefits and services resulting from federally-assisted programs and activities. Any person who believes the Alaska Railroad Corporation (ARRC) has violated his or her Title VI protections should contact the ARRC at (907) 265-2461 or via email to sellerswarehamt@akrr.com.

The ARRC has also developed a policy to assist individuals who are Limited English Proficient (LEP). Translation services to assist LEP individuals are available to ARRC's customers upon request. ARRC's Title VI policy, complaint procedures and LEP Plan are available on its website (https://www.alaskarailroad.com/corporate/civil-rights) or upon request by contacting the ARRC Legal Department as noted above or the Federal Transit Administration (FTA), Regional Civil Rights Officer, Jackson Federal Building Suite 3142, 915 Second Avenue, Seattle, WA 98174 at (206) 220-4462. Federal Title VI information, including procedures for filing complaints, can also be accessed on the FTA website at: www.fta.dot.gov. Hearing impaired individuals can use the Alaska Relay Service by dialing 7-1-1 from anywhere inside Alaska, **OR** dialing toll-free from anywhere outside the state (800) 770-8255 **(voice)**; (800) 770-8973 **(TTY);** (800) 770-8973 (ASCII); (866) 355-6198 (STS); (866) 355-6199 (**Spanish**); (800)-770-6108 (VCO Direct).

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix E

ARRC Public Involvement Plan and Public Outreach Updates 2016-2018

Public Involvement Procedures

July 2009
amended April 2013
updated September 2018

For additional information:

Contact:	External Affairs
Number:	(907) 265-2357 (office) / (907) 265-2443 (fax)
Corporate Office:	327 West Ship Creek Avenue Anchorage, Alaska 99501
Mailing Address:	P.O. Box 107500 Anchorage, Alaska 99510-7500

Email: SullivanT@akrr.com Web site: http://www.alaskarailroad.com

Alaska Railroad Corporation
Public Involvement Policy & Procedures

(July 2009 • amended April 2013 • updated September 2018)

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Alaska Railroad Program of Projects
Public Involvement Policy & Procedures

The Alaska Railroad Corporation

The Alaska Railroad Corporation (ARRC) is a state-owned corporation, does not receive state funding to operate, and is the only full service U.S. railroad offering both freight and passenger service. From tidewater at Whittier and Seward to the heart of Interior Alaska, the Railroad covers more than 500 miles. Initially owned by the federal government, the Alaska Railroad has been providing service to Alaskans since 1923 and was purchased by the State of Alaska in 1985.

Mission and Vision

> **Mission:** "Be profitable by focusing on safe, high quality service to our freight, passenger and real estate customers. Foster the development of Alaska's economy by integrating Railroad and railbelt community development plans."
>
> **Vision:** "Building a Great Railroad across the Great Land."

Program of Projects

To fulfill its mission and vision, the Alaska Railroad works with state and local agencies and the public to implement a system-wide Program of Projects (POP). The Alaska Railroad's POP — made possible through funding from various federal agencies along with internal funding — greatly enhances the Railroad's service to Alaska communities and makes the Railroad's operation more safe and efficient. Based in part on strategic planning efforts, the Alaska Railroad's POP includes, but is not limited, to investments in rail, ties, ballast, depots, passenger services, technology and equipment. ARRC's POP includes public involvement efforts that meet and often exceed regulatory and agency requirements.

Purpose of the Public Involvement Plan

As a state-owned corporation that operates in close proximity to many Alaska communities, and as a recipient of federal financial assistance, ARRC desires widespread public input into and support for its POP and all of its other services, programs, and activities that require public involvement.

An effective public involvement process provides for an open exchange of information and ideas between the public and transportation decision-makers. This plan is designed to create two-way communication between ARRC and targeted audiences. ARRC's objectives are to: educate the public about the need for and benefits of its POP and other programs and incorporate the public's views and concerns in the decision-making process.

Through the communication process, the Railroad seeks to build goodwill with the communities and businesses it serves while strengthening its role as an integral part of Alaska's transportation network. The desired result is meaningful public input and widespread support for the POP and individual projects, creating an atmosphere in which the Railroad can thrive economically and better meet its public mission.

Plan Overall Goal

Develop and strengthen two-way communication that creates awareness of the Alaska Railroad's Program of Projects and other activities requiring public involvement, and allows for input from targeted audiences resulting in a mutually agreeable program.

Program Objectives

Objectives of two-way communication include:

- Inform, educate, and enhance community(s) awareness about projects
- Facilitate public involvement through project phases
- Solicit input from target groups
- Monitor community concerns on a regular basis and adjust strategies accordingly
- Gain consensus
- Build relationships and meet requirements that will allow the Railroad to move through the requisite approval processes smoothly and on time
- Build relationships that will facilitate regulatory approval and promote continued funding
- Foster an informed and involved public that is satisfied with the transportation solution

Guiding Principles

There are certain guiding principles that set the tone for a successful public involvement program for publicly funded transportation projects. These principles address the public's need to have views and concerns heard and addressed. In addition, these principles assist the Railroad in gaining public understanding and acceptance, while avoiding an autocratic or adversarial role. The Alaska Railroad's guiding principles are:

- All public input is important to the ARRC and is sought without regard to race, color, national origin, proficiency with the English language, or any other status protected by law.
- Community concerns deserve respect
- Gaining public support requires projects that deserve support and fulfill ARRC's mission
- Dialogue and discussion with neighbors should start at project inception and should continue through project completion
- Focus on reaching decisions rather than simply conducting participation activities

Target Audiences

The Railroad's public involvement plan is directed toward several target audiences or stakeholders who have specific interests in, or may be affected by, ARRC's proposed program of projects. While these audiences will sometimes overlap, there is seldom a homogenous mixture that can be labeled "the general public." Therefore, ARRC tailors its communication plan to each audience and for each project. ARRC's key audiences include, but are not limited to:

- Alaska media
- ARRC Board of Directors
- ARRC employees
- ARRC freight customers
- ARRC tenants (i.e. those with leases and/or permits for use of ARRC land)
- ARRC transportation partners – commercial ground transportation (bus, shuttle, motorcoach, taxi), recreation providers, contract railcar services, local public bus systems, municipal airports, transportation industry associations, individual airlines, etc.
- Community/business/education/environmental groups – community councils, chambers of commerce, Anchorage and Fairbanks centers for the environment, economic development organizations, civic organizations, etc.
- Community residents – Fairbanks, North Pole, Nenana, Palmer, Wasilla, Birchwood, Eagle River, Chugiak, Anchorage, Girdwood, Whittier, Seward, Talkeetna, etc., including specifically those residents making up the minority and low income populations of these communities
- Government officials – congressional delegation, governor, state legislators, state commissioners, borough and city officials, assembly members, planning and zoning commissions, etc.
- Key opinion leaders – elected officials, tribal leaders, other minority community leaders, local activists, media representatives, boards and commissions
- Regulatory and funding agencies – FRA, FHWA, FTA, EPA, USF&W, U.S. Army Corps of Engineers, ADGC, ADOT/PF, ADEC, ADF&G, etc.
- Visitor industry – Industry organizations, Alaska Dept. of Natural Resources, railbelt convention and visitors bureaus, hotels, recreation and tour businesses, other visitor destinations and facilities

Strategies

Strategies address the interests and issues of the target audiences and convey the collective benefits resulting from the POP or individual projects. Listed below are many of the key messages/actions ARRC uses in seeking approval, input and involvement from the target audiences.

- Promote the Railroad as a good neighbor

- Demonstrate willingness to partner and plan with state and local agencies and the public in transportation project decisions
- Demonstrate willingness to listen to community input
- Demonstrate ARRC's commitment to safety and the environment
- Position ARRC as a major player in the state's transportation network
- Establish ARRC as a partner in planning for the state's future and financial well-being
- Ensure that none of the ARRC's projects, programs or other activities result in discrimination on the basis of race, color, or national origin
- Showcase benefits – rail as a safe and environmentally friendly mode of public transportation, protection and enhancement of the environment, energy conservation, air quality advantages and improved quality of life.
- Explain the economic and service benefits the State of Alaska, its visitors and residents will receive from proposed projects
- Describe new jobs that will result from newly created services
- Assure stakeholders that proposed services are sustainable and benefit local communities, businesses, the state and the Railroad
- Position new services as complementary to local communities' economic development efforts
- Demonstrate the increased safety and security of the transportation system for motorized and non-motorized users
- Promote the increased accessibility and mobility options available and demonstrate the integration and connectivity of the transportation system, across and between modes, for people and freight.
- Emphasize the preservation and improvement of the existing transportation system
- Promote improved system management, operation and communication
- Demonstrate rail's support role in the economic vitality of the railbelt by enabling global competitiveness, productivity and efficiency

Public Involvement Techniques

There are numerous public involvement techniques to employ in crafting an effective public involvement program. Some target groups; others are more focused on individuals. The ARRC uses a variety of techniques aimed at diverse audiences to engage the public and gain input. Following are many public involvement techniques employed by ARRC as is appropriate and meaningful.

- <u>Public Meetings/Hearings:</u>
  Public *meetings* present information to the public and obtain informal input from community residents. They are tailored to specific issues or community groups and may be informal or

formal.

A public *hearing* is more formal than a public *meeting*. Held prior to a decision point, a public hearing gathers community comments and positions from all interested parties for public record and input into decisions. Public hearings are required by the federal government for many transportation projects and all comments must be documented. Public meetings are optional events and thus tailored to the needs of the organization and the targeted audience.

- Town Forums/Open Houses/Informal "Walk-In" Meetings:
  A town forum or open house is an informal setting in which people get information about a plan or project. They typically have no formal agenda. Unlike a public meeting, no formal discussions and presentations take place and there are no audience seats. Information is presented buffet-style and materials are distributed throughout the room. Information is also available to take home. These meetings are effective when a project or plan is first introduced to build community interest and awareness. Such meetings often appeal to people who are reluctant to speak at public meetings.

  During years of robust capital improvement activity, ARRC will conduct open house style meetings in key population hubs along the railroad route to share and gather information on project plans. During years of moderate capital investment, ARRC will organize open house events for individual projects as warranted by public interest, impacts and agency requirements. ARRC also participate in regional transportation open house events hosted by municipal or state agencies (Mat-Su Valley, Anchorage, Fairbanks).

- ARRC Web Site – www.alaskarailroad.com:
  Project information is provided on ARRC's website and can be accessed round-the-clock. Website visitors are encouraged to provide their opinions and suggestions on any or all ARRC projects via a direct "public comment" e-mail address. The project links contain project information, meeting announcements and project photos/graphics.

- Direct Public Comment Tools
  Using a dedicated email address, public_comment@akrr.com, the public can submit comments, questions, opinions and suggestions via the Internet. Phone numbers for Corporate and External Affairs officials are publicized, allowing the public to voice opinions and concerns verbally. ARRC officials deliver timely responses.

- Public Information Materials:
  Materials are produced to provide information about a project when it is in the planning stage or is underway. Such materials summarize details in straightforward non-technical language and often include explanatory graphics. Public information materials can be a significant value in helping people to decide to participate or to seek more information. Materials used by ARRC include but are not limited to: Fact sheets. Frequently asked questions and answers, Displays and models, Photographs and drawings, Posters, Maps, Report summaries, Advertising and public notices, Direct mailers pieces, Newsletters, Opinion editorials, project briefing booklet, etc. The ARRC's public information materials include a statement that the materials may be made available in a language other than English if requested.

- Report to State:
  The annual ARRC Report to State summarizes ARRC's 5-year capital improvement plan. It is updated by December 1 each year and distributed to state officials (Governor, Administration and Legislature) and posted on the ARRC web site for public access.

- Speakers Bureau:
  ARRC pursues and accepts speaking engagements to railbelt community and business groups. Speaking opportunities expand community participation while allowing ARRC to respond to public concerns and misinformation. Presentations can be tailored to address specific concerns and open a channel to distribute other information such as brochures, etc. Groups ARRC speaks to regularly include but are not limited to: chambers of commerce and other business organizations, rotaries and other civic organizations, schools, visitor organizations, special interest groups, community councils.

- Mailing Lists:
  A mailing list is a collection of names of those affected by or interested in the Alaska Railroad, or in a specific project, program or plan. Lists include organizations, residents, media, elected officials, abutters, agency personnel, interest groups and others. Lists include addresses but may also include telephone and fax numbers or, as well as e-mail addresses for electronic communication. In recent years (since 2013), ARRC has enlisted electronic mailing services (such as MailChimp) to build self-subscribing lists that are more effective in communicating with various audiences quickly.

  Mailing lists are a way to reach interested parties with announcements of upcoming events, meeting invitations, newsletters, summary reports and other information. Mailing lists allow an organization to provide updated information quickly to targeted groups. Lists can also assist in conducting surveys and other forms of information gathering.

  The ARRC Corporate Affairs Department maintains a mailing list of civic, business and elected leaders statewide that may be used for and project mailings as needed. Additional lists are compiled on a project needs basis.

- Direct Mailings:
  Direct mailings are used to provide project information and/or invite the public to special project meetings. Direct mailings are typically more targeted toward particular groups, industries, communities, special interests, etc.

- Advertisements and Public Notices:
  Advertisements and public notices are published in appropriate media to announce upcoming project meetings and board meetings, availability of project information, availability of request for proposals and contract bids, and to provide the public with project updates, as warranted.

- Media Relations:
  Media relations involve disseminating information to media about a project or plan to assist with informing the public. ARRC disseminates information through editorial board meetings, news releases, fact sheets, opinion editorials, background papers, and visual aids such as charts, diagrams, photos and drawings. Briefing reporters and editorial boards with in-depth background helps foster objective reporting. Effective media strategies deliver a uniform

message to prevent the spread of misinformation. Many people rely on the media for information and to help form opinions. Media strategies should be developed early and sustained over time. Where appropriate, the ARRC considers publication of information through non-traditional media, such as those provided in a language other than English.

- Community Council Meetings:
  When appropriate, ARRC attends and provides project updates at community councils within project zones.

- ARRC Board Meetings:
  ARRC board meetings are held on a quarterly basis (sometimes more often), are open to the public, and include the opportunity for public comment. ARRC project presentations and updates are discussed at meetings. Public notice announcements are placed in at least three newspapers of general circulation along the railbelt at least five days prior to meetings. (Anchorage Daily News, Fairbanks News Miner, Seward Phoenix Log). Where appropriate, the ARRC considers publication of information through non-traditional publications, such as those provided in a language other than English.

- Local and State Transportation Planning Process:
  See section "How ARRC Interfaces with Local and State Transportation Planning Processes"

- Surveys:
  Public opinion surveys assess widespread public opinion. An agency administers a survey to a sample group of people via a written questionnaire or through interviews in person, by phone, or by electronic media. The sample is considered representative of a larger group. Survey results show public positions or reactions to agency actions and gather information for use in the process. They are useful for learning about community perceptions and preferences and to test whether opinions are changing. Information gained through surveys can enhance an agency's understanding of public concerns and also test the effectiveness of its public involvement process. Public opinion surveys are administered without regard to race, color, national origin or other discriminatory factors. As warranted, ARRC conducts surveys ranging from a few select questions in a semi-annual regional poll, to a comprehensive project/program-specific questionnaire.

- Community Briefings and Discussion Groups:
  ARRC Executives and External Affairs officials meet annually with Railbelt Mayors, Chamber of Commerce officials, and other community leaders to provide briefings about railroad programs and activities, including capital improvements in respective regions. These forums offer two-way communication between ARRC representatives and community civic and business leaders.

- Site Visits, Tours and Train Trips:
  Site visits are trips taken by community residents, officials, agencies, the media or consultants to project areas to showcase the physical environment of a proposal and/or ongoing activity. These excursions give participants a common frame of reference. Site visits also can improve media coverage and reporting accuracy. ARRC participates in, or organizes, such trips as interest and issues warrant.

- Annual Corporate Report:
  ARRC publishes an annual report that details the financial and operational status of the railroad. Information on capital projects is included. The Annual Report is distributed electronically to all employees, the media, lawmakers and key officials in the administration, and others as requested. The annual report is also available for review on the ARRC web site.

- Briefings:
  Briefings are similar to key person interviews but are usually information-gathering meetings held with a community group or leader. Some briefings are one-on-one but can also involve key groups. Briefings are used for one-way or two-way communication. They provide immediate opportunities for focused communication and help break through barriers to full public participation. They also can be useful in repairing damage or building trust and credibility. Briefings are provided without regard to race, color, or national origin or other discriminatory factors.

- Citizen Advisory Committees / Community Discussion Groups:
  Typically used for individual projects. A citizen advisory committee (CAC) is a representative group of stakeholders that meets regularly to discuss issues of common concern. CAC's allow interaction between local residents and the sponsoring agency. A CAC is a forum for hearing peoples' ideas and molds participants into a working group. People participate by examining and discussing issues with others. ARRC established Community Discussion Groups (CDG) to provide a dialog forum with an ongoing purpose. Community Discussion Groups have been established in Seward and Fairbanks, allowing railroad officials and interested community members a quarterly opportunity to discuss concerns and issues. Participation in both the CAC and CDG forums is offered without regard to race, color, or national origin or other discriminatory factors.

- Focus Groups:
  Typically used for individual projects, focus groups are small group discussions with professional leadership. A group of individuals convene to discuss and give opinions on a single topic, providing a tool to gauge public opinion and a forum to identify concerns, needs, wants and expectations. They can inform sponsors of the attitudes and values that people hold and why and can help drive development of policies, programs, and services and the allocation of resources. Focus Groups are convened without regard to race, color, national origin or other discriminatory factors.

- Key Person Interviews:
  A key person interview is a one-on-one talk about a specific topic or issue with an individual recognized or designated as a community leader. The main purpose of the interview is to gain information. These interviews help identify issues, concerns, and desired outcomes. They should be scheduled early in the process and just before decision-making. Key person interviews help target potential participants in the public process and elicit ideas for structuring a public involvement program. Key person interviews are held without regard to race, color, or national origin.

How Public Comment Influences Project Decision-Making

A. External Affairs Department (or Contractor)

Depending on the nature of the public input. Members of ARRC's Corporate and External Affairs Department (or Contractor) gathers or receives public comment from a number of forums and processes them accordingly:

- Goal: Questions are answered within 10 days.
- Specific complaints and/or suggestions are forwarded on to the project manager for his/her consideration or action

B. Project Manager (ARRC or Contract)

The Project Manager will consider public input and

- Reject project modification and provide an explanation to Corporate Communications / External Affairs, who will respond to the commenting public.
- Modify project execution if it is within his/her authority and is nominal in scope, cost and impact to the project's desired end result.
- Elevate the comment to the attention of the Director of Capital Projects, and provide recommendations on various ways to address the concern, suggestion or complaint.

C. Capital Project Management

The Director, Project Management will consider public input and the Project Manager's recommendations, and coordinate appropriate review of engineering, grant, funding, legal and other project requirements, and:

- Reject project modification and provide an explanation to Corporate Communications / External Affairs, who will respond to the commenting public.
- Modify project execution if it is within his/her authority, and is minor in cost and impact to the project's desired end result.
- Elevate the public comment to the attention of Director, Projects and Chief Engineer, and provide recommendations on various ways to address the concern, suggestion or complaint.

D. Projects Director and Chief Engineer

The Projects Director and Chief Engineer will consider public input and project management recommendations, and coordinate further internal or external research if necessary, and:

- Reject project modification and provide an explanation to Corporate Communications / External Affairs, who will respond to the commenting public.
- Modify project execution if it is within political, fiscal and operational authority.
- Elevate the public comment to the attention of the President/CEO, and provide recommendations on various ways to address concerns, suggestions or complaints that have significant community and political implications.

E. President/CEO

The President/CEO will consider public input, consider project management

recommendations, direct further external or internal research if necessary, direct organization of additional public hearings if necessary, communicate with community/political/tribal leaders if appropriate, and:

- Reject project modification and respond publicly if warranted, or provide an explanation to External Affairs who will respond to the commenting public.
- Modify project execution if it is within political, fiscal and operational authority.
- Elevate the public input to the ARRC Board of Directors and provide recommendations on various ways to address the concern, suggestion or complaint.

F. Board of Directors

The Board of Directors will consider public input, railroad personnel recommendations, direct further internal and external research if necessary, and:

- Reject project modification and direct the President/CEO to respond publicly if warranted, or provide an explanation to External Affairs who will respond to the commenting public.
- Modify or halt project execution in the best interests of the public, and within the corporation's operational, contractual and fiscal resource limitations.

How ARRC Interfaces with State / Local Transportation Planning Processes

ARRC participates in Metropolitan Planning Organization (MPO) meetings and ARRC projects appear in MPO and statewide planning documents as appropriate. ARRC's projects are identified in municipal Transportation Improvement Plan (TIP) and the Statewide Transportation Improvement Plan (STIP).

- ARRC provides project proposals to the Anchorage MPO – the Anchorage Metropolitan Area Transportation Study (AMATS) - for inclusion in the city's Long Range Transportation Plan (LRTP) and Transportation Improvement Plan (TIP).
- ARRC projects falling outside the Anchorage MPO are placed into Alaska's Statewide Transportation Improvement Plan (STIP) in coordination with the Department of Transportation and Public Facilities statewide planning process.
- ARRC works with the State Department of Transportation and Public Facilities (DOTf&PF) in developing projects associated with national highways within MPO jurisdiction.
- ARRC has a defined role with the Anchorage Area and Fairbanks Area MPO's to better coordinate projects. ARRC is represented on the Anchorage Metropolitan Area Transportation Study (AMATS)e and Fairbanks Metropolitan Area Transportation System (FMATS) Technical Advisory Committees (TAC).
- When developing a proposed capital project or service change, the Alaska Railroad engages land, community and/or transportation planning agencies within affected local railbelt governments to ensure local concerns, challenges and opportunities are considered

How ARRC Considers Tribal / Native Corporation and Other Minority Impacts

ARRC will consult and collaborate with Alaska tribal and/or Alaska Native Corporation (ANC) entities when a new capital project may impact tribal/ANC resources. This is accomplished by:

- Research to identify tribes or Native corporation assets that lie within a proposed project area.
- Initiate contact with tribal / ANC leadership to invite consultation, with the purpose to identify resources of cultural, spiritual, historical, or environmental significance, and potential impacts on those resources.
- Incorporate measures for avoiding, minimizing or mitigating impacts to tribal/ANC resources, through collaboration with tribal/ANC leadership.
- Include tribal/ANC stakeholders in other public involvement activities.
- Similar strategies, modified to reach the target audience, are employed when an ARRC project or other activity may impact any other minority or low income population.

Fare and Major Service Changes

ARRC has established a public involvement process for all fare increases and major service changes. ARRC considers a major service reduction to be the elimination of a scheduled train service or a three-hour departure change to a scheduled train service. Fare increases and major service changes trigger the following public involvement process:

- The ARRC Business Development Department decides passenger fare rates and any service changes during the summer of the year prior to the year of operations.
- Ad notices will be published annually after rates/services are decided. In years where no rate change or service change is anticipated, the notices will be used to inform the public of this fact. In years with a proposed rate increase or service change, ads will state the proposed fare or service change, invite comment and offer an opportunity for a public hearing. The ARRC will accept public comment and requests for public hearing for forty-five (45) days from the date of the notice.
- Public notice advertisements will be published in newspapers of general circulation in Anchorage, Fairbanks and Seward. Proposed fare increases or service changes will also be published on the Alaska Railroad's website.

<u>ARRC's statutory definition and requirements:</u> Pursuant to enabling legislation, the Alaska Railroad Corporation Act, Alaska Statutes 42.40.010, et seq., ARRC makes service changes as follows:

- Pursuant to AS 42.40.120(b)(8), major changes in ARRC service must be approved by the ARRC Board of Directors. In accordance with ARRC Board Rule No. 1, notice of such a Board meeting agenda item would appear in newspapers of general circulation in Anchorage, Fairbanks, and Seward no less than five days prior to the Board meeting at which changes would be discussed. There is full opportunity for public participation in ARRC Board meetings.

- If the ARRC plans a major expansion, reduction, or diversification from the service that it offered in 1985 (the time of transfer from Federal ownership to State ownership), the ARRC is required by AS 42.40.285 to report such plans and the underlying reason in detail to the Alaska Legislature and the governor in advance.
- If the ARRC plans to extend its rail lines (other than spurs, side tracks, etc.), it is required by AS 42.42.285 to obtain prior legislative approval.

Communication Tools

The following resources are used to assist in implementing public involvement techniques:

- Alaska Directory of State Officials – a comprehensive directory including contact information for the state governor, state legislators, commissioners and their agency staff
- Alaska Municipal Officials Directory – a comprehensive directory of municipal, borough and city officials
- Chamber of Commerce Membership Directories – state and railbelt communities.
- Speaker's Guide – includes various lists of community groups and civic organizations along with their meeting times and locations; these are useful in preparing briefings and for scheduling speakers.
- Federation of Community Council and Mat-Su Community Council website resources.
- Word of Mouth – Occasionally, traditional resources are inadequate to provide the ARRC with the most reliable or relevant method of reaching its target audience, such as when the audience includes minority, low income, or Limited English Proficiency communities. In these situations, the most appropriate method of reaching the intended audience may be through individual contact with community members themselves.

Vehicles for Submitting Public Comment

- ***ARRC Web Site***
  www.alaskarailroad.com - provides a direct link the External Affairs office
- ***Dedicated Email*** - public_comment@akrr.com
- ***By Mail*** - Alaska Railroad Corporation, Attn: External Affairs
  P.O. Box 107500, Anchorage, AK 99501
- ***By Fax*** - Public Affairs fax line (907) 265-2443
- ***By Phone***
  Director of External Affairs Tim Sullivan, 907-265-2357
  Regulatory & Corporate Communications Officer Stephenie Wheeler, 907-265-2671
  TTY/TDD 265-2620
- ***At Public Meetings*** - Public comment forms are provided at Project Public Meetings and Open Houses, and other public forum where projects are discussed. All meeting facilities are accessible to individuals with disabilities.

Public Process Requirements

There are many federal statutes and regulations derived in part from the National Environmental Policy Act (NEPA) and largely from federal surface transportation legislation. Transportation laws include the Intermodal Surface Transportation Efficiency Act (ISTEA, 1991) and its successors, the Transportation Equity Act for the 21st Century (TEA-21, 1998); the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users (SAFETEA-LU, 2005); Moving Ahead for Progress in the 21st Century Act (MAP-21, 2012); and Fixing America's Surface Transportation Act (FAST Act, 2015).

These laws and regulations provide guidelines for locally developed public involvement processes and procedures. Flexibility is available in developing specific public involvement programs allowing for different situations and specialized approaches.

The Attachment to this procedures document contains definitions and procedures required for each level of environmental reporting. It also includes a matrix noting each mandatory and optional action required for developing the individual public involvement plans supporting Alaska Railroad projects. Following are the two broad categories of requirements:

Federal Requirements - Three classes of action prescribe the level of documentation required in the NEPA process. (See the Attachment for more detailed information.)

1. Categorical Exclusions and Documented Categorical Exclusions
2. Environmental Assessments
3. Environmental Impact Statements

State of Alaska Requirements - Division of Governmental Coordination (See the Attachment for more detailed information)

- Project Consistency with the Alaska Coastal Management Program

Evaluation and Program Adjustment

No public involvement work is complete without evaluating the success of the efforts and, if necessary, adjusting the program to increase the success rate. The ARRC uses the following public involvement techniques to gauge the effectiveness of its public involvement.

- Opinion surveys – Public opinion surveys assess widespread public opinion. They can be used to gauge public positions or reactions to actions already taken. Surveys can be used to identify public preferences or changes in opinion. Public opinion surveys can be taken at any time during a process, assisting in continuously gauging as program adjustments are made.
- One-on-one interviews and meetings
- Briefings with agency staff and government officials in project zones
- ARRC Board evaluation of projects – Board members are an extension of the communities and industries they represent. Their guidance and insight on projects is another method of determining public reaction, input and opposition or support for projects.

ARRC's Project Planning Process

The ARRC's project planning process begins with the development of a "project needs" list involving all ARRC departments, with consideration to partners, customers and community inputs. ARRC develops a POP and proposes it to the public for comment via STIP and municipal TIP vehicles.

The ARRC allocates formula funds for necessary infrastructure improvements in its POP. It also obligates funding for other projects, more appropriately identified as major improvements. These projects are funded through agencies including the Federal Transit Administration and Federal Railroad Administration and embody facilities, track realignments and rolling stock acquisitions.

ARRC is responsible for generating its own federal matching funds and is financially responsible for the maintenance and operations of its projects.

Summary

Developing an effective public involvement program is a strategic effort that requires careful analysis and understanding of the audiences the plan is directed to and the messages that are delivered. Using this manual as a guide should result in a systematic and consistent approach that is mutually beneficial to the Alaska Railroad and publics it serves.

The Alaska Railroad will be involved in an ongoing capital planning and construction phase for many years to come. Through a comprehensive public involvement plan, the ARRC can look forward to public support for improving the Alaska Railroad to better meet the needs of Alaskans, its visitors and its customers.

Summary of Public Involvement for Program of Projects

2016

Dec. 1, 2015: Report to State of Alaska – booklet published and distributed to state lawmakers and policymakers. The report outlines ARRC's 5-year Capital Improvement Plan, including plans for 2016. In addition to being emailed to legislators and state administration officials by Dec. 1, 2015, the electronic document is posted on ARRC's company website available to the general public (AlaskaRailroad.com > CORPORATE > Leadership > Reports).

January – April 2016: Project Fact Sheets – compiled, updated and posted online at AlaskaRailroad.com > CORPORATE > Projects. Fact sheets are completed and posted as details and funding are realized or confirmed.

- 2016 Bridge Program (some FTA and FEMA funding)
- 2016 C Street Crossing
- 2016 Port MacKenzie Rail Extension
- 2016 Positive Train Control (some FTA funding)
- 2016 Ship Creek Tenant Sewer System
- 2016 Railport Seward Master Plan (MARAD funding)
- 2016 Track Rehabilitation (some FTA funding)
- 2016 Mat-Su Road-Rail Crossing Upgrades (some FHWA funding)

Comment / Communication Tools: Website includes phone number, fax, dedicated email (public_comment@akrr.com) and mailing address to faciltate response to inquiry.

Anchorage Transportation Fair – Feb. 4, 2016: held 4-8 p.m. at the Alaska Airlines Center Auxiliary on the University of Alaska campus, 3559 Providence Drive, Anchorage.

- One-stop venue for the public to learn about and ask questions regarding transportation-related capital projects and programs impacting the Anchorage Bowl (Whittier, Girdwood, Anchorage, Eagle River and Eklutna).
- Alaska Railroad participated in the event, sponsoring print ads in Alaska Dispatch News newspaper serving Anchorage and Alaska. Projects mentioned on flyers and fair URL http://anchoragetranspofair.blogspot.com/

- Fact sheets and display boards highlighting several railroad projects in Anchorage and statewide, including bridge and track rehabilitation (FTA funded), Road-Rail crossings (FHWA funding) and Positive Train Control (FTA-backed bond funding)
- Railroad project managers on-hand to answer questions.

2015 Annual Report – posted April 1, 2016 – posted on ARRC's company website available to the general public (AlaskaRailroad.com > CORPORATE > Leadership > Reports). Discusses capital investments and funding sources for 2015 and includes outlook for 2016.

Mat-Su Transportation Fair – Sept. 22, 2016: held 4-8 p.m. at Raven Hall, Alaska State Fairgrounds, 2075 Glenn Hwy, Palmer.

- One-stop venue for the public to learn about and ask questions regarding transportation-related capital projects and programs impacting the Matanuska-Susitna Valley (Palmer, Wasilla, Willow, Talkeetna).
- Alaska Railroad participated in the event, sponsoring radio advertising on local station and sponsoring rail tickets giveaway for attendee drawing (promotes attendance). Projects mentioned on flyers and fair URL http://matsutranspofair.blogspot.com/
- Fact sheets and display boards highlighting several railroad projects in the Mat-Su and statewide, including bridge and track rehabilitation (FTA funded), Road-Rail crossings (FHWA funding) and Positive Train Control (FTA-backed bond funding)
- Railroad project managers on-hand to answer questions.

2017

Dec. 1, 2016: Report to State of Alaska – booklet published and distributed to state lawmakers and policymakers. The report outlines ARRC's 5-year Capital Improvement Plan, including plans for 2017. In addition to being emailed to legislators and state administration officials by Dec. 1, 2016, the electronic document is posted on ARRC's company website available to the general public (AlaskaRailroad.com > CORPORATE > Leadership > Reports).

January – April 2017: Project Fact Sheets – compiled, updated and posted online at AlaskaRailroad.com > CORPORATE > Projects. Fact sheets are completed and posted as details and funding are realized or confirmed.

- 2017 Bridge Program (some FTA and FEMA funding)
- 2017 Denali Track Realignment – Prelim Study / Concept (some FHWA via FTA funding)
- 2017 Mat-Su Road-Rail Crossing (Federal HSIP funding)
- 2017 MP 185.5 Willow Station Crossing Upgrades (FHWA via FTA funding)
- 2017 Positive Train Control (some FTA funding)
- 2017 Ship Creek Tenant Sewer System
- 2017 Anchorage Historic Depot Pedestrian Improvements (some FTA funding)

Comment / Communication Tools: Website includes phone number, fax, dedicated email (public_comment@akrr.com) and mailing address to faciltate repsonse to inquiry.

Anchorage Transportation Fair – Feb. 15, 2017: held 3-7 p.m. at the Alaska Airlines Center Auxiliary on the University of Alaska campus, 3559 Providence Drive, Anchorage.

- One-stop venue for the public to learn about and ask questions regarding transportation-related capital projects and programs impacting the Anchorage Bowl (Whittier, Girdwood, Anchorage, Eagle River and Eklutna).
- Alaska Railroad participated in the event. Projects mentioned on flyers and fair URL http://anchoragetranspofair.blogspot.com/
- Fact sheets and display boards highlighting several railroad projects in Anchorage and statewide, including bridge program (FTA funded), Historic Depot pedestrian improvements, and Positive Train Control (FTA-backed bond funding)
- Railroad project managers on-hand to answer questions.

2016 Annual Report – posted April 1, 2017 – posted on ARRC's company website available to the general public (AlaskaRailroad.com > CORPORATE > Leadership > Reports). Discusses capital investments and funding sources for 2016 and includes outlook for 2017.

Mat-Su Transportation Fair – Sept. 28, 2017: held 3-7 p.m. at Curtis Menard Sports Center, 1001 S. Clapp Street, Wasilla.

- One-stop venue for the public to learn about and ask questions regarding transportation-related capital projects and programs impacting the Matanuska-Susitna Valley (Palmer, Wasilla, Willow, Talkeetna).
- Alaska Railroad participated in the event sponsoring rail tickets giveaway for attendee drawing (promotes attendance). Projects mentioned on flyers and fair URL http://matsutranspofair.blogspot.com/
- Fact sheets and display boards highlighting several railroad projects in the Mat-Su and statewide, including bridge (FTA funded), Denali Track Realignment Study (FHWA funding), Road-Rail crossings (FHWA and HSIP funding) and Positive Train Control (FTA-backed bond funding)
- Railroad project managers on-hand to answer questions.

December 15, 2017 – Final POP Ad: Display ad with Notice of Final Program of Projects for both 2016 and 2017, outlining federally funded capital projects, project funding sources and agencies. Published in Journal of Commerce, a statewide publication.

2018

Dec. 1, 2017: Report to State of Alaska – booklet published and distributed to state lawmakers and policymakers. The report outlines ARRC's 5-year Capital Improvement Plan, including plans for 2018. In addition to being emailed to legislators and state administration

officials by Dec. 1, 2017, the electronic document is posted on ARRC's company website available to the general public (AlaskaRailroad.com > CORPORATE > Leadership > Reports).

January – April 2018: Project Fact Sheets – compiled, updated and posted online at AlaskaRailroad.com > CORPORATE > Projects. Fact sheets are completed and posted as details and funding are realized or confirmed.

- 2018 Bridge Program (some FTA and FEMA funding)
- 2018 Replace Bridge 147.5
- 2018 Glenn Highway Rail Crossing Improvements
- 2018 Anchorage Road-Rail Crossing Upgrades
- 2018 MP 370.7 (Ferry) Pier Replacement & Embankment (FEMA funding)
- 2018 Positive Train Control (some FTA funding)
- 2018 C Street Crossing Challenges & Future Upgrades
- 2018 Track Rehabilitation (some FTA funding)

Comment / Communication Tools: Website includes phone number, fax, dedicated email (public_comment@akrr.com) and mailing address to faciltate repsonse to inquiry.

Anchorage Transportation Fair – Feb. 8, 2018: held 3-7 p.m. at the Alaska Airlines Center Auxiliary on the University of Alaska campus, 3559 Providence Drive, Anchorage.

- One-stop venue for the public to learn about and ask questions regarding transportation-related capital projects and programs impacting the Anchorage Bowl (Whittier, Girdwood, Anchorage, Eagle River and Eklutna).
- Alaska Railroad participated in the event sponsoring rail tickets giveaway for attendee drawing (promotes attendance). Projects mentioned on flyers and fair URL http://anchoragetranspofair.blogspot.com/
- Fact sheets and display boards highlighting several railroad projects in Anchorage and statewide, including bridge program (FTA funded), Track Rehabilitation (some FTA funding), Anchorage Road-Road-Rail Crossings, and Positive Train Control (FTA-backed bond funding)
- Railroad project managers on-hand to answer questions.

2017 Annual Report – posted April 1, 2018 – posted on ARRC's company website available to the general public (AlaskaRailroad.com > CORPORATE > Leadership > Reports). Discusses capital investments and funding sources for the 2017 and includes outlook for 2018.

Mat-Su Transportation Fair – Sept. 13, 2018: held 3-7 p.m. at Curtis Menard Sports Center, 1001 S. Clapp Street, Wasilla.

- One-stop venue for the public to learn about and ask questions regarding transportation-related capital projects and programs impacting the Matanuska-Susitna Valley (Palmer, Wasilla, Willow, Talkeetna).

- Alaska Railroad participated in the event sponsoring rail tickets giveaway for attendee drawing (promotes attendance). Projects mentioned on flyers and fair URL http://matsutranspofair.blogspot.com/
- Fact sheets and display boards highlighting several railroad projects in the Mat-Su and statewide, including the overall Bridge Program (some FTA funded), Bridge 147 Replacement; Track Rehabilitation (some FTA funding) and Positive Train Control (FTA-backed bond funding)
- Railroad project managers on-hand to answer questions.

October 2018 – Final POP Ad: Display ad with Notice of Final Program of Projects for 2018, outlining federally funded capital projects, project funding sources and agencies. Published in Journal of Commerce, a statewide publication.

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix F

Summary of Title VI Complaints and Lawsuits 2016-2018

Title VI Complaints and Lawsuits

The ARRC has had no Title VI complaints, lawsuits, or any other form of action.

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix G

ARRC On-Time Performance
2016-2018

ARRC ON-TIME PERFORMANCE
2016-2018

Coastal Classic (Anc-Sewd-Anch)

	On Time Percent Any variance that is later than scheduled time is considered late		
Event	**2016**	**2017**	**2018 thru 8/1**
Anch Depart	97%	99%	98%
Seward Arrival	100%	82%	96%
Anch Arrival	95%	95%	89%

Denali Star North (Anch-Fbks)

	On Time Percent Any variance that is later than scheduled time is considered late		
Event	**2016**	**2017**	**2018 thru 8/1**
Anch Depart	92%	91%	73%
Fbks Arrival	99%	90%	75%

Denali Star South (Fbks-Anch)

	On Time Percent Any variance that is later than scheduled time is considered late		
Event	**2016**	**2017**	**2018 thru 8/1**
Fbks Depart	94%	86%	96%
Anch Arrival	88%	82%	60%

Glacier Discovery (Anch-Whit-Anch)

	On Time Percent Any variance that is later than scheduled time is considered late		
Event	**2016**	**2017**	**2018 thru 8/1**
Anch Depart	98%	98%	97%
Whittier Arrival	99%	95%	90%
Anch Arrival	99%	97%	96%

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix H

ARRC Standard Vehicle Assignments

PASSENGER CAR INVENTORY

Type	Coach	Seats	Service	ADA
UP	ARR 200	60	SEW	
UP	ARR 201	60	WHR	
UP	ARR 202	60	On Demand	
UP	ARR 203	60	On Demand	
UP	ARR 204	60	On Demand	
DHI	ARR 205	78	FBX	X
DHI	ARR 206	78	FBX	X
DHI	ARR 207	78	SEW	X
DHI	ARR 208	78	WHR	X
DHI	ARR 209	78	HUR	X
DHI	ARR 210	78	On Demand	X
Type	**Domes**			
GoldStar	ARR 651	72 (bi-level)	FBX	X
GoldStar	ARR 652	72 (bi-level)	FBX	X
GoldStar	ARR 653	72 (bi-level)	FBX	X
GoldStar	ARR 654	72 (bi-level)	FBX	X
GoldStar	ARR 655	72 (bi-level)	SEW	X
GoldStar	ARR 656	72 (bi-level)	SEW	X
Conductor	ARR 500	36 (vista)	On Demand	
Conductor	ARR 501	36 (vista)	SEW	
Conductor	ARR 502	36 (vista)	On Demand	
Gift Shop	ARR 521	38 (amtrk)	HUR	X
Gift Shop	ARR 522	38 (amtrk)	FBX	X
Gift Shop	ARR 523	38 (amtrk)	FBX	X
Type	**Diner/Café**			
UP Café	ARR 300	48	Retired	
DHI Café	ARR 301	48	On Demand	
UP Diner	ARR 400	48	Retired	
DHI Diner	ARR 401	56	SEW	
Café	ARR 451	46	FBX	
Café	ARR 452	46	FBX	
Café	ARR 352	46	SEW	
Type	**Baggage**			
Baggage Car	ARR 100	Large	HUR	
Baggage Car	ARR 101	Large	FBX	
Baggage Car	ARR 102	Large	FBX	
Baggage Car	ARR 103	Large	SEW	
Baggage Car	ARR 110	Small	WHR	
Baggage Car	ARR 111	Small	WHR	

2018 Train Consists

Denali Star - NB	Denali Star - SB
522 (38 Dome)	523 (38 Dome)
206 (78)	205 (78)
452 (Café Car)	451 (Café Car)
652 (Bi-Level)	651 (Bi-Level)
654 (Bi-Level)	653 (Bi-Level)
102 (Bag Car)	101 (Bag Car)

Coastal - Seward	Glacier - Whittier
200 (60)	751 (DMU)
501 (36 Dome)	208 (78)
207 (78)	201 (60)
352 (Café Car)	111 (Bag Car)
401 (Diner)	110 (Bag Car)
655 (Bi-Level)	
656 (Bi-Level)	
103 (Bag Car)	

Hurricane Summer	Aurora/Hurricane Winter
209 (78)	101 (Bag Car)
521 (38 Dome)	210 (78)
100 (Bag Car)	209 (78)
	452 (Café Car)
	401 (Diner)
	103 (Bag Car)

Alaska Railroad Corporation
Title VI Program 2019-2021

Appendix I

ARRC Board Resolution No. 2018-25
Approval of ARRC Title VI Program

Adopted: September 25, 2018

Resolution No. 2018-25

Relating to the Approval of the Alaska Railroad Corporation's Title VI Program for Federal Fiscal Years 2019-2021

WHEREAS, the Alaska Railroad Corporation (ARRC) is a recipient of federal funding from the Federal Transit Administration (FTA) and is therefore required to have a Title VI Program prohibiting discrimination in FTA-funded programs and services on the basis of race, color, and national origin; and

WHEREAS, the ARRC's Title VI Program must be updated and submitted to the FTA every three years; and

WHEREAS, an updated Title VI Program for Federal Fiscal Years 2019-2021 is due to FTA in 2018; and

WHEREAS, FTA Circular 4702.1B requires that the ARRC's Title VI Program be approved by the ARRC Board of Directors.

NOW THEREFORE BE IT RESOLVED, that the ARRC Board of Directors has considered the ARRC's Title VI Program for Federal Fiscal Years 2019-2021 as presented by ARRC Management, and hereby approves the ARRC Title VI Program for Federal Fiscal years 2019-2021.

This is to certify that I am the Secretary of the Board of Directors of the Alaska Railroad Corporation, and the above Resolution No.**2018-25** is a true and correct copy of the resolution adopted by the Alaska Railroad Corporation's Board of Directors at its regular meeting on **September 25, 2018**.

Date 9/26/2018

Andrew Behrend
Board Secretary

Corporate Seal

ALASKA RAILROAD CORPORATION
CORPORATE SEAL