



U.S. Department  
of Transportation  
Federal Highway  
Administration

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

JUN 02 2011

In Reply Refer To: HCR-40  
DOT #2010-0202

(b) (6)

Dear (b) (6) :

This is in reference to your complaint of discrimination, dated April 21, 2010, on behalf of the (b) (6) against Henry County alleging violations of Title VI of the Civil Rights Act of 1964 (Title VI). In your complaint, you alleged that the Campground Expansion Project would disproportionately and adversely impact your community, which is comprised of minority (Asian-Americans, Hispanic-Americans, and African-Americans) and low-income homeowners. Specifically, you alleged that impacts would cause: increased traffic flow; difficulty in utilizing amenities (i.e., swimming pool and tennis courts); safety risks (i.e., children crossing lanes to and from school and raised speed limit); decreased property values; and impacts to resale values.

Since Henry County is a sub-recipient of Federal-aid funds through the Georgia Department of Transportation (GDOT), your complaint was investigated by the GDOT in accordance with the Federal Highway Administration's (FHWA) regulation at Title 23, Code of Federal Regulations, Part 200.9(b)(3) and the FHWA's complaint processing procedures. State recipients can conduct Title VI investigations of its sub-recipients or contractors and make a recommended finding to the Federal decision-making authority. However, the Department of Justice has determined that a Title VI finding of violation or no violation is a Federal decision that cannot be delegated. All FHWA recipients must submit their proposed dispositions to FHWA for a final agency decision.

The FHWA is in receipt of information from the GDOT which states that the above-referenced project is in its preliminary stages. Furthermore, Henry County has not completed an Environmental Impact Statement. Since the project is in the preliminary stages and no final decisions have been made, there is no basis for finding Henry County in violation of Title VI.



Therefore, your complaint will be dismissed. However, the FHWA will recommend to Henry County that it involve the affected communities throughout the planning and project development process.

This concludes the FHWA's processing of this matter and no further action will be taken.

Sincerely yours,

A handwritten signature in cursive script that reads "Brenda F. Armstead".

Brenda F. Armstead  
Director, Investigations and Adjudications



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of Transportation  
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Washington, D.C. 20590

In Reply Refer To: HCR-40  
DOT #2010-0202

Ms. LaTonya Nix Wiley  
Henry County  
Office of the County Attorney  
140 Henry Parkway  
McDonough, Georgia 30253

Dear Ms. Wiley:

This is in reference to the complaint of discrimination filed by (b) (6) (complainant) on behalf of the (b) (6) (community) against Henry County alleging violations of Title VI of the Civil Rights Act of 1964 (Title VI). The complainant alleged that the Campground Expansion Project would disproportionately and adversely impact the community, which is comprised of minority (Asian-Americans, Hispanic-Americans, and African-Americans) and low-income homeowners. Specifically, the complainant alleged that impacts would cause: increased traffic flow; difficulty in utilizing amenities (i.e., swimming pool and tennis courts); safety risks (i.e., children crossing lanes to and from school and raised speed limit); decreased property values; and impacts to resale values.

Since Henry County is a sub-recipient of Federal-aid funds through the Georgia Department of Transportation (GDOT), the complaint was investigated by the GDOT in accordance with the Federal Highway Administration's (FHWA) regulation at Title 23, Code of Federal Regulations, Part 200.9(b)(3) and the FHWA's complaint processing procedures. State recipients can conduct Title VI investigations of its sub-recipients or contractors and make a recommended finding to the Federal decision-making authority. However, the Department of Justice has determined that a Title VI finding of violation or no violation is a Federal decision that cannot be delegated. All FHWA recipients must submit their proposed dispositions to FHWA for a final agency decision.

The FHWA is in receipt of information from the GDOT which states that the above-referenced project is in its preliminary stages. Furthermore, Henry County has not completed an Environmental Impact Statement. Since the project is in the preliminary stages and no final decisions have been made, there is no basis for finding Henry County in violation of Title VI.



Therefore, the complaint will be dismissed. However, the FHWA recommends that Henry County involve the affected communities throughout the planning and project development process.

This concludes the FHWA's processing of this matter and no further action will be taken.

Sincerely yours,

A handwritten signature in cursive script that reads "Brenda F. Armstead".

Brenda F. Armstead  
Director, Investigations and Adjudications

cc:

Mr. Michael G. Cooper, Director, Equal Employment Opportunity Office, GDOT

Ms. Carol Barnett, Title VI/Environmental Justice Coordinator, Equal Employment Opportunity Office, GDOT

Mr. Rodney N. Barry, Division Administrator, FHWA (HDA-GA)

Ms. Vanessa Ross, Civil Rights Specialist, FHWA (HDA-GA)