

Sunset Public Hearing Questions for  
**Tennessee Heritage Conservation Trust Fund, Board of Trustees**  
Created by Section 11-7-104, *Tennessee Code Annotated*  
(Sunset termination June 2014)

1. Provide a brief introduction to the board, including information about its purpose, statutory duties, staff, and attachment.

**The Tennessee Heritage Conservation Trust Fund (HCTF) was established in June 2005 (Public Chapter 444), to assist the state in permanently conserving and preserving tracts of land within the state of Tennessee for the purposes of promoting tourism and recreation, including outdoor activities such as hunting, fishing, equestrian activities and hiking; protecting, conserving and restoring the state's physical, cultural, archeological, historical and environmental resources; and preserving working landscapes.**

**The board has no staff, but is supported within TDEC-State Parks in matters regarding grant management, board meeting correspondence, and reports.**

**The board is administratively attached to the Department of Environment and Conservation.**

2. Briefly describe the Tennessee Heritage Conservation Trust Fund including the purpose for which it was created. What is the current status of the fund?

**The 11-member board, made up of a diverse group from across the state of Tennessee, met quarterly during 2006, 2007 and 2008 to review grant proposals and award grants to other governmental agencies, land trust groups, and other conservation organizations. The trust fund's dollars were leveraged with additional funding sources from the grantee to acquire lands/parks of high conservation/natural resources significance or in some cases to provide for conservation easements. The average leverage was over 2.8:1 (over \$2.80 from other sources to match each \$1.00 spent from the Trust Fund).**

**The Tennessee Heritage Conservation Trust Fund was established in June 2005 (Public Chapter 444), to assist the state in permanently conserving and preserving tracts of land within the state of Tennessee for the purposes of promoting tourism and recreation, including outdoor activities such as hunting, fishing, equestrian activities and hiking; protecting, conserving and restoring the state's physical, cultural, archeological, historical and environmental resources; and preserving working landscapes.**

**The fund has not been active in approving new grants since 2008, which marked the time of tough budget cycles thus making it more difficult to obtain funding. The Board has remained involved in closing previous projects funded with trust fund dollars and to handle land issues that have come up on HCTF-funded properties.**

3. Provide a list of current members of the committee. For each member please indicate who appointed the member, how the member's presence on the committee complies with Section 11-7-104(b), *Tennessee Code Annotated*, and the member's county of principal residence.

Please indicate each member's race and gender and which members, if any, are 60 years of age or older.

**The current list of board of trustee members and other requested information is included in Attachment A. All board members are appointed by the Governor and there are currently no vacancies; however, there are two board members whose terms expired October 31, 2011, but they continue to serve. The Governor's office is actively pursuing making appointments for the two expired terms and should have that completed in the near future.**

4. How many times did the board meet during fiscal years 2012 and 2013, and how many members were present at each meeting?

**FY 2012 – the board met once in September 2011**

**FY 2013 – the board did not meet**

5. What per diem or travel reimbursement do members receive? How much was paid to board members during fiscal years 2012 and 2013?

**Trustees may be reimbursed for those expenses allowed by the provisions of the comprehensive travel regulations of the Department of Finance and Administration. Trustees typically have not sought such reimbursement, and none was paid during fiscal years 2012 and 2013.**

6. How does the committee ensure that its members and staff are operating in an impartial manner and that there are no conflicts of interest as required by Section 11-7-104(g), *Tennessee Code Annotated*? If the committee operates under a formal conflict of interest policy, please attach a copy of that policy.

**The board's Conflict of Interest Policy is Attachment B. Each member signs a conflict of interest form and this is also monitored by the board's chairman – before, during and after meetings and/or if a board member notifies the chairman of a potential conflict of interest.**

7. Is the board subject to Sunshine Law requirements (Section 8-44-101, *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the board have to inform the public of its meetings and to make its minutes available to the public?

**Yes, the board is subject to Sunshine Law requirements. TDEC has an administrative staff person in the Commissioner's office that contacts each board on a monthly basis in order to get board meeting information. If a board meeting is planned it is then posted to the state's website and the TDEC website according to the Sunshine Law requirements. Minutes of meetings are available to the public upon request.**

8. What were the fund's revenues (by source) and expenditures (by object) for fiscal year 2012 and to date for 2013? Does the fund carry a fund balance and, if so, what is the total of that fund balance? If expenditures exceeded revenues, and the fund does not carry a fund balance, what was the source of the revenue for the excess expenditures?

**The fund's financial report for fiscal year 2012 and to date in 2013 is included in the attached annual report (Attachment C). The board itself does not collect revenues or show expenditures for that time period.**

9. Does the board submit an annual report as required at Section 11-7-104(h), *Tennessee Code Annotated*? Please attach a copy of the last annual report published.

**Yes. The annual report is attached as Attachment C.**

10. Specifically what real property has the board acquired for the state, by purchase, donation or lease, and under what circumstances as authorized at Section 11-7-105(1), *Tennessee Code Annotated*?

**The board itself has not acquired any real property pursuant to T.C.A. Section 11-7-105(1).**

11. Specifically what loans or grants has the board made, and under what circumstances as authorized at Section 11-7-105(2), *Tennessee Code Annotated*? How has the board ensured that all loans and grants complied with the requirements of Section 11-7-106, *Tennessee Code Annotated*?

**Grants made by the board pursuant to T.C.A. Section 11-7-105(2), and the projects funded by these grants, are listed in the spreadsheet in the board's annual report (Attachment C). These properties were all acquired through the grant process that the board developed. Almost all were fee simple acquisitions, but there are a few projects that were approved as conservation easements. The type of acquisition is noted on the spreadsheet. The board has not made any loans during the program's tenure.**

**The board has ensured compliance with the requirements of Section 11-7-106 by incorporating a grant pre-application and application process that included the requirements of sections 11-7-106 [c] and [d]. The board also entered into a grant agreement with each grantee which specified all requirements of the TCA Sections 11-7-101 *et seq.*, scope of the grant project, and expiration date for awarding of funds.**

**The projects approved for grant awards must meet certain criteria before the funds are provided, including property surveys and appraisals, environmental assessments and enactment of mechanisms such as conservation easements to guarantee the permanent protection of the properties.**

12. What other contracts and cooperative agreements has the board entered into as authorized at Section 11-7-105(3), *Tennessee Code Annotated*? (Also, see question 28 below.)

**None. Only the grant contracts/agreements with grantees.**

13. Has the board adopted bylaws as authorized at Section 11-7-105(4), *Tennessee Code Annotated*? Please attach a copy.

**Yes. A copy is included as Attachment D.**

14. Has the board appointed an executive director, or other staff, of the fund as authorized at Section 11-7-105(5), *Tennessee Code Annotated*?

**Currently the board does not have an executive director or other staff other than noted in our response to Question #1. The board had an executive director who served in the position from January-December 2007.**

15. What policies and guidelines for the use of the trust fund has the board adopted, as authorized by Section 11-7-105(6), *Tennessee Code Annotated*. How are these published?

**The policies and guidelines for the use of the trust fund have been incorporated into the procedure for identifying grants. The Tennessee Heritage Conservation Trust Fund Act – Assessment of Needs document also provides guidance on priority areas in Tennessee that need protection. Priorities from the Department of Environment and Conservation’s State Lands Acquisition Fund were also used in the past to help steer the ranking of applications by the board.**

16. Have any funds been transferred from the Tennessee Heritage Conservation Trust Fund to the Conservation Compensation Fund as permitted in Section 11-7-109(b), *Tennessee Code Annotated*? If so, what were the circumstances for that transfer?

**No.**

17. Describe any items related to the fund or the board that require legislative attention and your proposed legislative changes.

**None known.**

18. Should the board be continued? To what extent and in what ways would the absence of the board affect the public health, safety, or welfare?

**The board should be continued. It has a proven record of protecting important and valuable properties and leveraging the funds entrusted to it, and hopefully at some point the economy will improve to the point that additional funding for the trust Fund can be considered. In the interim, there may be transfers of funded properties, requests for approvals under conservation easements, and other issues that require approval by the board of the Trust Fund.**

19. Please list all board programs or activities that receive direct or indirect federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

**Although the Board does not receive federal financial assistance, we have provided the following answers for the Department of Environment and Conservation since the Board is attached to the Department for administrative purposes.**

[Federal financial assistance includes:

- (1) Grants and loans of Federal funds,
- (2) The grant or donation of Federal Property and interests in property,
- (3) The detail of Federal personnel,
- (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal 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 recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
- (5) Any federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

28 C.F.R. Sec. 42.102(c)]

[The term recipient means any State, political subdivision of any State, or instrumentality of any State or political subdivision, any public or private agency, institution, or organization, or other entity, or any individual, in any State, to whom Federal financial assistance is extended, directly or through another recipient, for any program, including any successor, assign, or transferee thereof, but such term does not include any ultimate beneficiary under any such program.

28 C.F.R. Sec. 42.102(f)]

***If the board does receive federal assistance, please answer questions 21 through 28. If the board does not receive federal assistance, proceed directly to question 27.***

20. Does your board prepare a Title VI plan? If yes, please provide a copy of the most recent plan.

**TDEC has a Title VI Plan that is developed for and applicable to all TDEC programs. A copy is attached as Attachment E.**

21. Does your board have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.

**TDEC has a Title VI Coordinator and Complaint Officer.**

**Coordinator: Costin Shamble (615-253-8337) - Facilitate Title VI compliance activities; review data and make recommendations of actions to enhance Title VI compliance; conduct Title VI training programs; compile Department's Title VI Implementation Plan; represent TDEC at meetings on Title VI.**

**Interim Complaint Officer: Hoda Guirguis (615-253-3400) - Receives Title VI complaints; conducts an investigation of complaints; facilitates a remedy of Title VI concerns; makes recommendation(s) of actions needed to resolve complaint.**

22. To which state or federal agency (if any) does your board report concerning Title VI? Please describe the information your board submits to the state or federal government and/or provide a copy of the most recent report submitted.

**TDEC is required to submit an annual Title VI Implementation Plan to the Tennessee Human Rights Commission. Additionally, the Plan is submitted to and reviewed by the Title VI Legislative Sub-Committee of the State Legislature. A public hearing is conducted annually on the Plan. Disadvantaged business participation is submitted to the Environmental Protection Agency.**

23. Describe your board's actions to ensure that board staff and clients/program participants understand the requirements of Title VI.

**Internally within TDEC:**

- **Mandatory Civil Rights training of TDEC staff included Title VI**
- **TDEC Title VI brochure distributed to Department staff**
- **Periodic discussions with staff, Title VI related actions/activities**
- **Staff participation in training programs offered by state and federal agencies**

**External actions by TDEC:**

- **Participation in Community Title VI workshops and conferences**
- **Contract language includes Title VI compliance**
- **Posting of Civil Rights posters**
- **Distribution of Title VI brochure**

24. Describe your board's actions to ensure it is meeting Title VI requirements. Specifically, describe any board monitoring or tracking activities related to Title VI, and how frequently these activities occur.

**Minority participation in TDEC programs and activities is reviewed by the Title VI Coordinator. Activities reviewed include: representation on boards, disadvantaged business participation, and public participation. Meetings with the Commissioner's staff are held to discuss minority participation issues at least quarterly. Disadvantaged business participation is submitted quarterly to the Environmental Protection Agency. A compilation of TDEC's minority outreach and participation is reviewed routinely and compiled annually.**

25. Please describe the board's procedures for handling Title VI complaints. Has your board received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).

**TDEC did not receive any Title VI Complaints during fiscal year 2010-2011 or fiscal year 2011-2012.**

**Complaint procedure:**

**Complaints must be filed in writing. The complaint should be filed on TDEC's complaint form. The division director of the program will forward the complaint to the Title VI Complaint Officer.**

**TDEC will make a prompt investigation when a complaint or other information indicating a violation is received. If the investigation indicates a violation of Title VI, TDEC will notify the recipient and will attempt to resolve the matter informally. If the investigation indicates that a violation did not occur, TDEC will notify the recipient and the complainant in writing.**

**The Title VI Complaint Officer will submit findings and conclusions to TDEC Civil Rights Champions. The Assistant Commissioner will issue a decision on the investigation findings and conclusions. Decisions made by the Assistant Commissioner can be appealed to the Commissioner within 30 days of receipt of the decision.**

**A complaint may be filed with the appropriate Federal agency no later than 180 calendar days after the alleged discrimination occurred.**

**Citizen suits remain an option in this process.**

**TDEC's toll free hotline (1-888-891-8332), accessible statewide, is maintained and available for complaints.**

26. Please provide a breakdown of current board staff by title, ethnicity, and gender.

**The board does not employ staff.**

27. Please list all board contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

**The board does not have business contracts for services.**

Tennessee Heritage Conservation Trust Fund Board of Trustees

Trustee	Term Expires	Representation
Jeannine Alday (Hamilton Co) - Female; Caucasian; at least 60 years of age	10-31-2014	East Tennessee
William (Buck) Clark, Jr. (Fayette Co) - Male; Caucasian; at least 60 years of age	10-31-2015	West Tennessee
Pete Claussen (Knox Co) - Male; Caucasian; at least 60 years of age	10-31-2013	East Tennessee
Anne Davis (Davidson Co) - Female; Caucasian	10-31-2014	Middle Tennessee
Bruce Dobie (Davidson Co) - Male; Caucasian	10-31-2011	Middle Tennessee
Aaron D. Ellison (Madison Co) - Male; African American; at least 60 years of age	10-31-2015	West Tennessee
Elizabeth Estill (Knox Co) - Female; Caucasian; at least 60 years of age	10-31-2015	East Tennessee
J. Andrew Goddard (Davidson Co) - Male; Caucasian; at least 60 years of age	10-31-2013	Middle Tennessee
John W. Rose (Smith Co) - Male; Caucasian	10-31-2011	Middle Tennessee
B. Lee Mallory III (Shelby Co) - Male; Caucasian; at least 60 years of age	10-31-2013	West Tennessee
Earl Worsham (Sevier Co) - Male; Caucasian; at least 60 years of age	10-31-2014	East Tennessee

**ETHICS AND CONFLICT OF INTEREST STATEMENT**

1. No member of the board shall participate in making any decision concerning a permit or upon a case in which the municipality, firm or organization which the member represents, or by which the member is employed, or in which the member has a direct substantial financial interest, is involved.
2. Each board member shall avoid any action, whether or not specifically prohibited by statute or regulation, which might result in or create the appearance of:
  - i. Using public office for private gain;
  - ii. Losing complete independence or impartiality;
  - iii. Making a government decision outside of official channels; or
  - iv. Affecting adversely the confidence of the public in the integrity of the government.
3. Use of information. No board member shall, directly or indirectly:
  - i. Use, disclose, or allow the use of official information which was obtained through or in connection with his or her appointment to the board and which has not been made available to the general public for the purpose of furthering the private interest or personal profit of any person, including the board member; or
  - ii. Engage in a financial transaction as a result of, or primarily relying upon, information obtained through his or her board appointment.
4. Use of government property. No board member shall make use of the facilities, equipment, personnel, or supplies of the State or its agencies for private use or gain, except to the extent that the use is de minimis or is lawfully available to the general public.
5. Each board member will avoid all known conflicts of interest, and to the extent the board member becomes aware of a conflict of interest in connection with any matter brought before the board, the board member will disclose such conflict to the other board members, Administrative Law Judge, and/or other appropriate person(s) and will further recuse himself or herself from participating in any consideration of the matter.

6. No board member will participate in decisions or actions involving individuals in his or her immediate family, individuals employed by the board member or the board member's business or any other matter in which the board members participation may create an appearance of bias or impropriety.
7. Questions on interpretation of this statement.

When a board member is in doubt as to the proper interpretation of this conflict of interest statement, he or she is expected to seek the advice of the Department of Environment and Conservation's Office of General Counsel.

\_\_\_\_\_  
Signature of Board Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Please Print Name



**STATE OF TENNESSEE**  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
NASHVILLE, TENNESSEE 37243-0435

**ROBERT J. MARTINEAU, JR.**  
COMMISSIONER

**BILL HASLAM**  
GOVERNOR

**MEMORANDUM**

**TO:** The Honorable Bill Haslam  
Governor, State of Tennessee

The Honorable Ron Ramsey  
Lt. Governor and Speaker of the Senate

The Honorable Beth Harwell  
Speaker of the House of Representatives

The Honorable Steve Southerland  
Chairman, Senate Energy, Agriculture and Natural Resources Committee

The Honorable Curtis Halford  
Chairman, House Agriculture and Natural Resources Committee

The Honorable Mike Bell  
Chairman, Senate Government Operations Committee

The Honorable Judd Matheny  
Chairman, House Government Operations Committee

The Honorable Justin P. Wilson  
Comptroller, State of Tennessee

**FROM:** Robert J. Martineau, Commissioner 

**DATE:** August 29, 2013

**RE:** TN Heritage Conservation Trust Fund Board Annual Report

TCA 11-7-104 requires the Tennessee Heritage Conservation Trust Fund Board to submit an annual report to the Governor, Speaker of the House of Representatives, Speaker of the Senate, Comptroller of the Treasury, Chair of the Environment, Conservation and Tourism Committee of the Senate, Chair of the Conservation and Environment Committee of the House of Representatives, Chair of the Government Operations Committee of the Senate, and Chair of the Government Operations Committee of the House of Representatives.

With the restructuring of the environment committees for the 108<sup>th</sup> General Assembly we are submitting this report to the Senate Energy, Agriculture and Natural Resources Committee and the House Agriculture and Natural Resources Committee to meet the requirement of the statute.

Attached is your copy of the 2013 report that covers FY 2012-13. The financial document included in the report is preliminary since the state has not closed out the current fiscal year, but we do not anticipate any changes. Please feel free to contact me or my staff if you have any questions.

Tennessee Heritage Conservation Trust Fund, Board of Trustees  
2013 Report

Mission: The Tennessee Heritage Conservation Trust Fund Board of Trustees seeks to protect significant natural areas in Tennessee by strategically partnering with landowners, government agencies, non-profit organizations, for-profit companies and others.

The Tennessee Heritage Conservation Trust Fund (HCTF) and Board was established in June 2005, by Public Chapter 444, to assist the state in permanently conserving and preserving tracts of land within the state of Tennessee for the purposes of promoting tourism and recreation, including outdoor activities such as hunting, fishing, equestrian activities and hiking; protecting, conserving and restoring the state's physical, cultural, archeological, historical and environmental resources; and preserving working landscapes. In 2012, the General Assembly passed Public Chapter 986 transferring the duties of the Conservation Commission to the Board.

The Board is administratively attached to the Department of Environment and Conservation.

The Board has no staff, but is supported by a staff person within TDEC-State Parks in matters regarding grant management, board meeting correspondence, and reports. The board only meets when it has business to conduct. The Board last met in September 2011.

The 11-member board, made up of a diverse group from across the state of Tennessee, met quarterly during 2006, 2007 and 2008 to review grant proposals and award grants to other governmental agencies, land trust groups, and other conservation organizations. The trust fund's dollars were leveraged with additional funding sources from the grantee to acquire lands/parks of high conservation/natural resources significance or in some cases to provide for conservation easements. The average leverage was over 2.8:1 (over \$2.80 from other sources to match each \$1.00 spent from the Trust Fund).

Grants made by the board pursuant to T.C.A. Section 11-7-105(2), and the projects funded by these grants, were all acquired through the grant process that the board developed. All HCTF funded projects are to be protected in perpetuity through deed restrictions or covenants whether by fee simple purchase, conservation easements or other similar means.

The projects approved for grant awards must meet certain criteria before the funds are provided, including property surveys and appraisals, environmental assessments and enactment of mechanisms like conservation easements to guarantee the permanent protection of the properties.

The fund has not been active in providing new grants since 2008, which marked the time of tight budget cycles when continued funding was not possible. The Board has remained involved in closing previous projects funded with trust fund dollars and to handle land issues that have come up on HCTF-funded properties, such as the actions necessary to obtain a full \$25.4 million of Land Water Conservation Funds through the U.S. Forest Service for the Rocky Fork project. **Attachment 1** shows the fund balance and the remaining projects that closed in 2012.

Projects that involved partnerships and extensive leveraging of funds, and those that enhanced or connected to existing conservation lands, received greater consideration for funding in the 2006-2008 grant cycles.

The Board has a proven record of protecting important and valuable properties and leveraging the funds entrusted to it, and hopefully at some point additional funding for the Trust Fund can be considered. In the interim, there may be transfers of funded properties, requests for approvals under conservation easements, and other issues that require approval by the Board of Trustees.

The last funded grant project closed in 2012 -- the TWRA acquisition of the Young-Roller tracts at Short Mountain in Cannon County.

To see all projects that have been funded by the Heritage Conservation Trust Fund, please refer to *Attachment 2*.

**Heritage Conservation Trust Fund**  
**FY 2012-13**  
**(Preliminary)**  
**Attachment 1**

[ATTACHMENT C](#)

**Beginning Fund Balance July 1, 2012** **\$ 988,573**

**Revenues:**

Appropriations	\$ -	
Amortized Lease Proceeds	\$ 937,500	
Interest	\$ 7,880	
<b>Total</b>	<u>                    </u>	<b>\$ 945,380</b>

**Expenditures:**

Total Expenditures	<u>                    </u>	<b>\$ -</b>
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**Transfers:**

Transfer to General Fund in Accordance With TCA 11-7-103(h)	\$ 938,751
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**Ending Fund Balance June 30, 2013 (Preliminary)** **\$ 995,202**

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**Outstanding Obligations (As of June 30, 2013):**

Metro Nashville - Beaman Park	\$ 119,566	
TWRA - Short Mountain	\$ 94,000	
General Fund - in accordance with TCA 11-7-103(h)	\$ 781,636	
<b>Total Outstanding Obligations (As of June 30, 2012)</b>	<u>                    </u>	<b>\$ 995,202</b>

**June 30, 2013 Balance after Outstanding Obligations (Prelim.)** **\$ -**

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Tennessee Heritage Conservation Trust Fund - Funding History  
2006-2008 Grant Awards -- **Attachment 2**

**ATTACHMENT C**

	<b>Partner</b>	<b>Total Project Cost</b>	<b>Trust Fund Grant Award</b>	<b>Acres Protected</b>	<b>Type of Acquisition</b>
1	John Noel (Bon Aqua)	\$325,000	\$56,203	\$ 35.00	
2	Land Trust for Tennessee (Hiwassee River)	\$1,281,000	\$351,250	70.00	Conservation Easements
3	Land Trust for Tennessee (Lost Cove)	\$4,300,000	\$1,750,000	2,987.00	Fee simple and conservation easement
4	TN Nature Conservancy (Skinner Mountain)	\$5,683,437	\$2,500,000	4,208.00	Fee simple
5	TN Division of Forestry (Big Forks Tree Farm)	\$2,145,000	\$459,500	1,867.00	Conservation Easements
6	TDEC (Bowater Phase II)	\$4,160,000	\$4,160,000	2,997.00	Fee simple
7	Tennessee Wildlife Resources Agency (Briggs Tract)	\$1,280,832	\$300,000	722.00	Fee simple
8	Tennessee Wildlife Resources Agency (Great Bay Timber)	\$2,057,500	\$561,029	2,048.00	Fee simple
9	TDEC (Bowater Phase III)	\$960,700	\$737,549	349.00	Fee simple
10	Southern Appalachian Highlands Conservancy (Rocky Fork)	\$40,000,000	\$6,000,000	10,000.00	Fee simple
11	Historic Rugby	\$425,000	\$425,000	186.00	Fee simple
12	Franklin's Charge (1864 Battlefield)	\$5,150,000	\$900,000	112.00	Fee simple
13	Friends of Warner Park (Hwy 70/100)	\$16,000,000	\$1,600,000	323.00	Fee simple
14	Metro Parks and Greenways (Mill Creek)	\$1,599,000	\$200,000	72.00	Fee simple
15	State Parks (Savage Gulf)	\$8,700,000	\$3,500,000	4,400.00	Fee simple
16	State Parks (Hazelwood Girl Scout Camp)	\$1,500,000	\$500,000	330.00	Fee simple
17	The Nature Conservancy (Bear Hollow - Butler-Jones Tract)	\$970,450	\$470,450	1,011.00	Fee simple and conservation easement
18	The Nature Conservancy (Bear Hollow - Thompson Tract)	\$806,692	\$400,000	806.00	Fee simple
19	TN Parks and Greenways Found. (Campoamor Tract/Scott's Gulf)	\$2,170,000	\$811,936	689.00	Fee simple
21	Tennessee Wars Commission (Davis Bridge)	\$1,929,000	\$864,500	643.00	Fee simple
22	Tennessee Wars Commission (Parker's Crossroads)	\$800,000	\$300,000	86.00	Fee simple
23	Tennessee Wildlife Resources Agency (Shaw Tract)	\$3,813,375	\$953,344	1,017.00	Fee simple
24	Friends of Radnor Lake (Radnor Lake Acquisition)	\$3,320,000	\$500,000	43.50	Fee simple
25	Metro Nashville/LTTN (Beaman Park to Bells Bend Conservation Project)	\$1,021,000	\$306,000	290.30	Conservation Easements
26	TN State Parks (Cumberland Trail - Kinzlow Acquisition)	\$4,360,000	\$1,000,000	3,200.00	Fee/Easement
27	Civil War Preservation Trust (Saving Shiloh Battlefield)	\$588,000	\$235,000	161.42	Fee simple
28	Tennessee Wildlife Resources Agency (Roller-Young Tracts at Short Mtn.)	\$400,000	\$60,000	942.00	Fee simple
	<b>TOTAL</b>	<b>\$115,745,986</b>	<b>\$29,901,761</b>	<b>39,595.22</b>	

All previously funded projects are closed and complete.

**BY-LAWS  
OF THE  
BOARD OF TRUSTEES  
OF THE  
TENNESSEE HERITAGE CONSERVATION TRUST FUND  
(the “Trust”)**

**ARTICLE I.**

**OFFICES**

The Trust may have such offices within the State of Tennessee as the Board of Trustees may designate or as the business of the Trust may require from time to time.

**ARTICLE II.**

**TRUSTEES**

**2.1 Powers and Duties.**

All powers of the Trust shall be exercised by or under the authority of, and the business and affairs of the Trust shall be managed under the direction of, the Board of Trustees. The Board of Trustees shall, without limitation, have all of the powers provided in the Tennessee Heritage Conservation Trust Fund Act of 2005, Chapter 444 of the Public Acts of 2005 (the “Act”).

**2.2 Number, Selection, Qualifications, Term.**

**(a) Number; Selection; Qualifications.** The Board of Trustees shall consist of eleven (11) members, selected as provided in the Act and meeting the qualifications stated in the Act. Trustees shall serve for the term No person shall serve as a Trustee who has been convicted of (i) any felony, (ii) a misdemeanor involving dishonesty, or (iii) any offense in a federal court, military court or court of another state, country or jurisdiction which under the laws of Tennessee would disqualify such person under (i) or (ii) above.

(b) **Term.** Trustees shall serve terms as provided in the Act. The term of office for each Trustee shall begin on October 1, following such Trustee's appointment; provided that the term of office for each initial Trustee shall commence on the date of appointment, but shall be calculated, for purposes of the term, from October 1, 2005. If not reappointed, a Trustee shall continue to serve until a new Trustee is appointed.

**2.3 Vacancies.**

Any vacancy on the Board of Trustees shall be filled as provided in the Act.

**2.4 Meetings; Notice.**

The Board of Trustees may hold regular and special meetings at any location in the State of Tennessee. Provided that a quorum is present in person at the location specified in the notice of meeting as the location of the meeting, the Board of Trustees may permit Trustees to participate in a regular or special meeting by, or conduct the meeting through the use of, electronic or other means of communication by which all Trustees participating may simultaneously hear each other and speak to each other during the meeting. If a quorum is not present in person at the location of a meeting, but is available by permissible electronic or other means, the Board of Trustees, including those Trustees available by such means, must make a determination that a necessity exists to permit members to be present by permissible electronic or other means for purposes of determining the presence of a quorum and to participate by such means. Such determination, and a recitation of the facts and circumstances on which it was based, shall be included in the minutes of the meeting and filed within two business days with the Tennessee Secretary of State.

(a) **Regular Meetings.** Regular meetings of the Board of Trustees which have been scheduled in advance by board resolution may be held without further notice to

members of the Board of Trustees of the date, time, place or purpose of the meeting. Adequate public notice of regular meetings shall be given pursuant to T.C.A. § 8-44-103(a).

(b) **Special Meetings.** Special meetings of the Board of Trustees may be called by the Chair or any two (2) Trustees. Special meetings must be preceded by at least forty-eight (48) hours notice to Trustees of the date, time and place of the meeting but need not describe the purpose of such meeting. Adequate public notice of special meetings shall be given pursuant to T.C.A. § 8-44-103(b).

**2.5 Quorum.**

A quorum of the Board of Trustees for the transaction of any business and for the exercise of any power or function of the Trust consists of seven (7) Trustees. No vacancy in the membership of the Board of Trustees shall impair the right of the Trustees to exercise all the power and perform all the duties of the Board of Trustees.

**2.6 Voting.**

If a quorum is present when a vote is taken, the affirmative vote of a majority of Trustees present and voting is the act of the Board of Trustees.

**2.7 Compensation.**

Trustees and members of any committee created by the Board of Trustees shall not receive a salary for their duties. Upon approval of the Chair, Trustees shall be reimbursed for actual and reasonable expenses permitted by the Act.

**2.8 Resignation.**

A Trustee may resign at any time by delivering written notice to the Board of Trustees or to the Chair. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

**ARTICLE III.**

**COMMITTEES**

**3.1 Creation.**

The Board of Trustees may create one (1) or more committees, each consisting of one (1) or more members. All members of committees of the Board of Trustees which exercise powers of the Board of Trustees must be members of the Board of Trustees and serve at the pleasure of the Board of Trustees. The creation of a committee and appointment of a member or members to it must be approved by the greater of (i) a majority of all Trustees in office when the action is taken or (ii) the number of Trustees required by law to take action.

**3.2 Authority.**

Unless otherwise provided in the Act, to the extent specified by the Board of Trustees in establishing a committee, each committee may exercise the authority of the Board of Trustees. All such committees and their members shall be governed by the same requirements regarding notice, quorum and voting requirements as are applicable to the Board of Trustees and its members.

**ARTICLE IV.**

**OFFICERS**

**4.1 Number.**

The officers of the Trust shall be a Chair, Vice Chair, a Secretary, a Treasurer, and Executive Director, and such other officers as may be from time to time elected or appointed by the Board of Trustees. Only Trustees shall serve as Chair or Vice Chair. No person shall hold more than one office, except the same person may serve as Secretary, Treasurer and/or Executive Director.

**4.2 Appointment.**

The Chair shall be appointed by the Governor as provided in the Act. The other officers shall be elected annually by the Board of Trustees at the first meeting of the Board of Trustees occurring on or after October 1, or as soon thereafter as is conveniently possible. Each officer shall serve at the pleasure of the Board of Trustees and until his or her successor shall have been appointed, or until his or her death, resignation or removal.

**4.3 Resignation and Removal.**

An officer may resign at any time by delivering notice to the Board of Trustees or to the Chair. Such resignation is effective when such notice is delivered unless such notice specifies a later effective date. An officer's resignation does not affect the Trust's contract rights, if any, with the officer. The Board of Trustees may remove any officer at any time with or without cause, but such removal shall not prejudice the contract rights, if any, of the person so removed.

**4.4 Vacancies.**

Any vacancy in an office from any cause may be filled by the Board of Trustees.

**4.5 Duties.**

(a) **Chair.** The Chair shall preside at all meetings of the Board of Trustees of the Trust, and shall have such other powers and duties as may be prescribed by the Act, these Bylaws or by the Board of Trustees.

(b) **Vice Chair.** In the absence of the Chair, the Vice Chair shall preside at all meetings of the Board of Trustees of the Trust. The Vice Chair shall have such other powers and duties as shall be prescribed by the Board of Trustees.

(c) **Secretary.** The Secretary shall attend all meetings of the Board of Trustees; shall prepare and record all votes and all minutes of all such meetings in a book to be kept for that purpose; and shall perform like duties for any committee when required. The

Secretary shall give, or cause to be given, notice of all meetings of the Board of Trustees when required. The Secretary shall have the responsibility of authenticating records of the Trust. The Secretary shall perform such other duties as may be prescribed from time to time by the Board of Trustees.

(d) **Treasurer.** The Treasurer shall keep or cause to be kept full and accurate account of receipts and disbursements in books belonging to the Trust, and shall deposit or cause to be deposited all moneys and other valuable effects in the name and to the credit of the Trust as provided in the Act. The Treasurer shall disburse or cause to be disbursed the funds of the Trust as required in the ordinary course of business or as may be ordered by the Board of Trustees, taking proper vouchers for such disbursements, and shall render to the President and Trustees at the regular meetings of the Board of Trustees, or whenever they may require it, an account of all transactions as Treasurer and the financial condition of the Trust. The Treasurer shall perform such other duties as may be incident to the office or as prescribed from time to time by the Board of Trustees.

(e) **Executive Director.** The Executive Director shall have general supervision over the active management of the business of the Trust and shall have such other duties as the Board of Trustees may from time to time prescribe.

(f) **Other Officers.** Other officers appointed by the Board of Trustees shall exercise such powers and perform such duties as may be delegated to them.

(g) **Delegation of Duties.** In case of the absence or disability of any officer of the Trust or of any person authorized to act in his or her place, the Board of Trustees may from time to time delegate the powers and duties of such officer to any officer, or any Trustee, or any other person whom it may select, during such period of absence or disability.

**ARTICLE V.**

**ACTIONS BY THE TRUST**

**5.1 Contracts.**

Unless otherwise required by the Board of Trustees, the Chair or the Vice Chair shall execute contracts or other instruments on behalf of and in the name of the Trust. Subject to the provisions of the Act, the Board of Trustees may from time to time authorize any other officer, or agent to enter into any contract or execute any instrument in the name of and on behalf of the Trust as it may deem appropriate, and except as provided in the next sentence such authority may be general or confined to specific instances. No grant or loan or contract to acquire any real property or easement thereon or other interest therein shall be entered into by the Trust except as specifically authorized by vote of the Board of Trustees or a properly authorized committee thereof.

**5.2 Checks, Drafts, Etc.**

Unless otherwise required by the Board of Trustees, all checks, drafts, bills of exchange and other negotiable instruments of the Trust shall be signed by either the Chair, the Vice Chair, or such other officer or agent of the Trust as may be authorized so to do by the Board of Trustees. Such authority may be general or confined to specific business, and, if so directed by the Board of Trustees, the signatures of two or more such officers may be required.

**5.3 Funds.**

All funds of the Trust shall be held and invested by the State Treasurer as a special agency account in the State General Fund, separate and apart from all other moneys, funds, and accounts, all as provided in the Act.

**ARTICLE VI.**

**FISCAL YEAR**

The fiscal year of the Trust shall be from July 1 to June 30.

**ARTICLE VII.**

**CORPORATE SEAL**

The Trust shall not have a corporate seal.

**ARTICLE VIII.**

**AMENDMENT OF BY-LAWS**

These Bylaws may be altered, amended, repealed or restated, and new Bylaws may be adopted, or by the affirmative vote of a majority of the members of the Board of Trustees who are present at any regular or special meeting.

**ARTICLE IX.**

**NOTICE**

Unless otherwise provided for in these Bylaws, any notice to a Trustee required shall be in writing, which shall include fax and e-mail, except that oral notice is effective if it is reasonable under the circumstances and not prohibited by these Bylaws. Notice to a Trustee may be communicated in person; by telephone, fax or e-mail; or by mail or private carrier. Except as provided above, written notice, if in a comprehensible form, is effective at the earliest of the following: (a) when received, (b) five (5) days after its deposit in the United States mail, if mailed correctly addressed and with first class postage affixed thereon; or (c) on the date shown on the return receipt, if sent by registered or certified mail or courier service, return receipt requested, and the receipt is signed by or on behalf of the addressee. Oral notice is effective when communicated if communicated in a comprehensible manner.



**TITLE VI IMPLEMENTATION PLAN  
REVISION**

**OCTOBER 2012**

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# **1. OVERVIEW**

**STATUTE**

The Tennessee Department of Environment and Conservation (“TDEC”) was created under Tennessee Code Annotated §4-3-501 which provides:

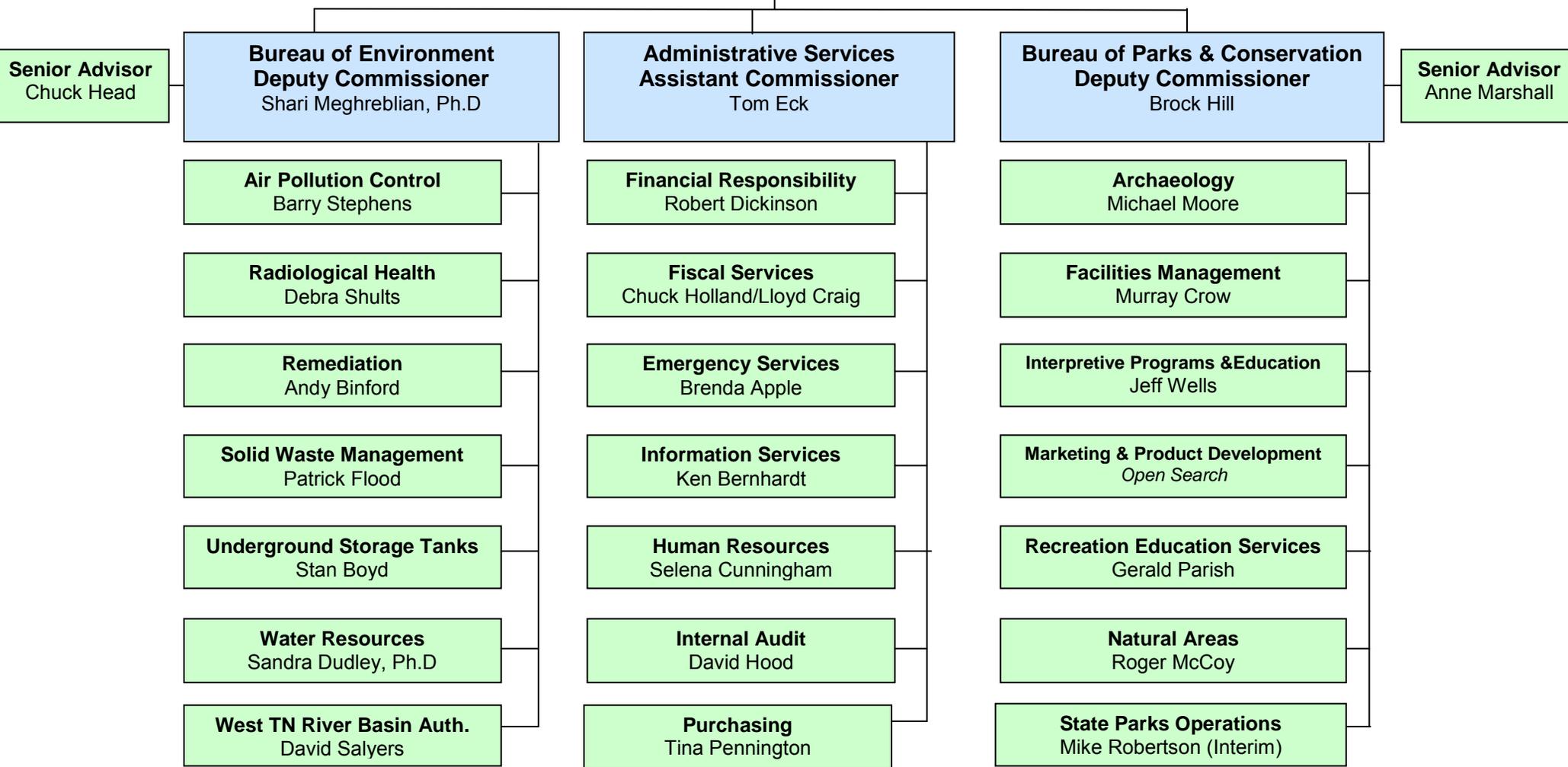
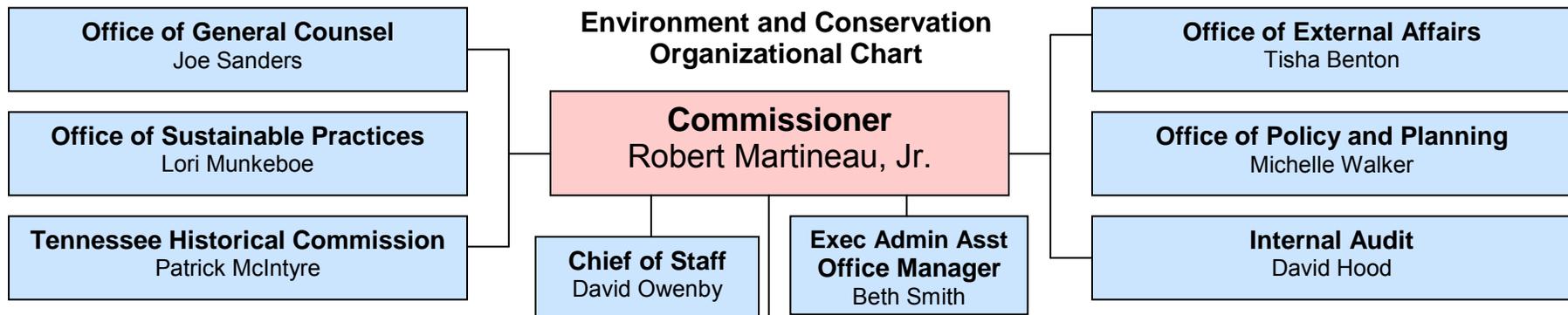
[t]here is hereby created the department of environment and conservation.

[Acts 1937, ch. 33, § 1; 1939, ch. 11, § 1; C. Supp. 1950, § 255.1; Acts 1959, ch. 9, § 11; 1963, ch. 169, § 3; modified.]

**MISSION**

TDEC was created to protect and improve the quality of our state’s land, air, water and recreation resources. TDEC administers a variety of programs to safeguard human health and the environment while ensuring our natural resources meet healthful, regulatory standards. In addition, TDEC also manages fifty-four State Parks and eighty-two State Natural Areas for the benefit of Tennessee and its citizens.

**Environment and Conservation  
Organizational Chart**



**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION STATEMENT OF  
NON-DISCRIMINATION**

The Tennessee Department of Environment and Conservation does not discriminate on the basis of race, color, national origin, age, sex or disability and is fully committed to nondiscriminatory practices within the scope of its responsibilities.

FORM

Approved By OMB: No. 2030-0020 Expires 04-30-2012

<b>Preaward Compliance Review Report for            All Applicants and Recipients Requesting EPA Financial Assistance</b> Note: Read instructions on other side before <u>completing form</u> .		
I.	Applicant/Recipient (Name, Address, State, Zip Code).	DUNS No.
II.	Is the applicant currently receiving EPA assistance?	
III.	List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)	
IV.	List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.)	
V.	List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))	
VI.	Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.  a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).  b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. § 7.70) applies.	
VII.*	Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95)  a. Do the methods of notice accommodate those with impaired vision or hearing? b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? c. Does the notice identify a designated civil rights coordinator?	
VIII.*	Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a))	
IX.*	Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166)	
X.*	If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.	

XI.\* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of the procedures.

**For the Applicant/Recipient**

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official	B. Title of Authorized Official	C. Date
-------------------------------------	---------------------------------	---------

**For the U.S. Environmental Protection Agency**

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized EPA Official  See ** note on reverse side.	B. Title of Authorized EPA Official	C. Date
---	-------------------------------------	---------

## Instructions for EPA FORM 4700-4 (Rev. 04/2009)

## General

Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment).

Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities.

Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities.

The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission.

Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution.

40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972.

40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973.

The Executive Order 13166 (E.O. 13166) entitled; "Improving Access to Services for Persons with Limited English Proficiency" requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

## Items

"Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Recipient" means any entity, other than applicant, which will actually receive EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed.

"Civil rights compliance review" means any review assessing the applicant's and/or recipient's compliance with laws prohibiting discrimination on the basis of race, color, national origin, sex, age, or disability.

Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission.

If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable."

In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification.

\* Questions VII – XI are for informational use only and will not affect an applicant's grant status. However, applicants should answer all questions on this form. (40 C.F.R. Parts 5 and 7).

\*\* Note: Signature appears in the Approval Section of the EPA Comprehensive Administrative Review For Grants/Cooperative Agreements & Continuation/Supplemental Awards form.

Approval indicates, in the reviewer's opinion, questions I – VI of Form 4700-4 comply with the preaward administrative requirements for EPA assistance.

**"Burden Disclosure Statement"**

EPA estimates public reporting burden for the preparation of this form to average 30 minutes per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed and completing and reviewing the form. Send comments regarding the burden estimate, including suggestions for reducing this burden, to U.S. EPA, Attn: Collection Strategies Division (MC 2822T), Office of Information Collection, 1200 Pennsylvania Ave., NW, Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503.

The information on this form is required to enable the U.S. Environmental Protection Agency to determine whether applicants and prospective recipients are developing projects, programs and activities on a nondiscriminatory basis as required by the above statutes and regulations.

## **2. FEDERAL PROGRAMS AND ACTIVITIES**

**Department of Environment and Conservation**  
**Revenue by Bureau, by Source, and by Division**  
**FY 2011-12 Work Program**  
**(Final)**

	<u>Federal Revenue</u>	<u>Contracts Grants RFP's</u>	Purpose
<b><u>Administration</u></b>			
327.01 Administration	\$ 2,631,400	None	Indirect Cost Recovery
<b>Total Administration</b>	<b>\$ 2,631,400</b>	<b>\$ -</b>	
<b><u>Parks &amp; Conservation</u></b>			
327.03 Recreation Education Services	\$ 2,291,300	\$ 2,145,100	Grants to local governments for recreation trails programs
327.04 Historical Commission	\$ 499,600	\$ 499,600	Grants to survey historic properties, preserving, rehabilitating historic properties, and purchase of battlefields.
327.06 Land and Water Conservation Grants	\$ 750,000	None	Land purchases
327.08 Archaeology	\$ -	\$ -	
327.12 Tennessee State Parks	\$ 143,000	\$ 105,900	Third-party contracts for studies of rare plants and animals
327.14 Natural Areas	\$ -	\$ -	Code abolished when merged with Parks The parks did not use any federal funds in FY 2012
327.15 Tennessee State Parks Maintenance	\$ 169,600	None	
327.17 TN Elk River Resource Management	\$ -	\$ -	
327.18 Historical Site Maintenance	\$ -	\$ -	
327.19 Local Parks Acquisition Fund	\$ -	\$ -	
327.20 State Lands Acquisition Fund	\$ -	\$ -	
327.22 State Lands Compensation Fund	\$ -	\$ -	
327.50 Tennessee Heritage Conservation Trust Fund	\$ -	\$ -	
327.51 Conservation Compensation Fund	\$ -	\$ -	
<b>Total Parks &amp; Conservation</b>	<b>\$ 3,853,500</b>	<b>\$ 2,750,600</b>	
<b><u>Environment</u></b>			
327.11 Geology	\$ 92,400	none	
327.23 Used Oil Collection Program	\$ -	\$ -	
327.24 WTRBA Maintenance	\$ -	\$ -	
327.26 West TN River Basin Authority	\$ -	\$ -	
327.28 Dry Cleaners Emergency Response	\$ -	\$ -	
327.30 Environment Administration	\$ -	\$ -	
327.31 Air Pollution Control	\$ 1,239,500	\$ 736,000	All grants are to local governments Federal funds are for operating costs in Radiological Health
327.32 Radiological Health	\$ 70,700	none	
327.33 Clean Water / Drinking Water SRF	\$ 64,281,900	\$ 51,425,000	Grants to local governments for Waste Water and Clean Water Facilities
327.34 Water Pollution Control	\$ 3,585,900	\$ 800,000	Contracts for Abandoned Mine Land Remediation
327.35 Solid & Hazardous Waste Management	\$ 3,779,600	\$ 1,200,000	Contracts for Lead Hazard Reduction HUD
327.36 DOE Oversight	\$ 6,800,300	\$ 1,777,700	Radioactive Waste Management and Disposal Services
327.37 Abandoned Lands	\$ -	\$ -	
327.38 Hazardous Waste Remedial Action (Superfund)	\$ 1,989,900	\$ -	Federal funds are for operating costs in 327.38
327.39 Water Supply	\$ 2,374,600	\$ -	Federal funds are for operating costs
327.40 Groundwater Protection	\$ -	\$ -	
327.41 Underground Storage Tanks	\$ 3,838,800	\$ 2,023,000	Remediate Leaking Underground Storage Tanks
327.42 Solid Waste Assistance	\$ -	\$ -	
327.43 Environmental Protection Fund	\$ -	\$ -	
327.44 Fleming Training Center	\$ 233,300	\$ 20,000	ARRA Drinking Water Grant
327.45 Office of Environmental Assistance	\$ 272,000	none	No federal funds are for contracts, grants or RFP's
<b>Total Environment</b>	<b>\$ 88,558,900</b>	<b>\$ 57,981,700</b>	
<b>Grand Total</b>	<b>\$ 95,043,800</b>	<b>\$ 60,732,300</b>	

### **3. ORGANIZATION OF THE TITLE VI OFFICE**

**STAFFING OF THE DEPARTMENT'S TITLE VI OFFICE**

The Environmental Justice/Title VI Coordinator works in the Office of Policy and Planning. The Environmental Justice/Title VI Coordinator assists the Department in promoting healthy and safe communities and quality environmental education for the benefit of the environment, public health and economy. This position also supports the department's objectives of achieving environmental equity for all Tennesseans. Environmental justice inquiries are directed to Costin Shamble (615-253-8337).

**ENVIRONMENTAL JUSTICE/TITLE VI COORDINATOR RESPONSIBILITIES**

Coordinating the implementation of Title VI and Environmental Justice requirements throughout TDEC

Maintaining permanent records of Title VI matters

Submitting required Title VI reports

Creating awareness of statutory non-discriminatory requirements

Disseminating Title VI Information both internally and externally

Coordinating TDEC efforts to provide a mechanism for outreach to direct community participation in environmental decision making

## **4. DATA COLLECTION AND ANALYSIS**

## 2012 Title VI Implementation Plan Revision – Data Collection and Analysis

TDEC DOE Oversight Division  
Oak Ridge, TN 37830

July 1, 2011 through June 30, 2012

a) **Racial and Ethnic Data Census Information –**

Population Served by County	Anderson	Knox	Loudon	Meigs	Morgan	Rhea	Roane
White <sup>a</sup>	92.6%	86.7%	96.3%	96.5%	94.3%	95.2%	94.6%
Black <sup>a</sup>	4.1%	9.0%	1.4%	1.4%	3.9%	2.3%	2.9%
American Indian and Alaska Native <sup>a</sup>	0.4%	0.4%	0.4%	0.7%	0.4%	0.5%	0.4%
Asian <sup>a</sup>	1.1%	2.0%	0.6%	0.2%	0.2%	0.5%	0.6%
Native Hawaiian and Other Pacific Islander <sup>a</sup>	Z	0.1%	0.2%	0.0%	Z	Z	Z
Persons reporting two or more races	1.8%	1.8%	1.1%	1.2%	1.2%	1.4%	1.6%
Hispanic or Latino origin <sup>b</sup>	2.3%	3.6%	7.1%	1.5%	0.9%	3.8%	1.4%
White, not Hispanic	90.6%	83.6%	89.8%	95.3%	93.5%	91.9%	93.3%
<sup>a</sup> Includes persons reporting only one race							
<sup>b</sup> Hispanics may be of any race, so also are included in applicable race categories.							
z Value greater than zero but less than half of unit of measure shown.							
* Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, Census of Population and Housing.							
Small Area Income and Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Non-employer Statistics							
Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report. Last Revised: Friday, 06-03-11, 15:34:33 EDT							

b) **Total Federal Dollar Amount –**

Federal Facility Agreement	\$2,731,200.00
Monitoring and Oversight Agreement	\$1,976,000.00
Total	\$4,707,200.00

c) **Area Served (statewide or specific city/town)** – The counties listed below are located directly downstream or surrounding the Oak Ridge Reservation and are defined as the areas served:

*Anderson, Meigs, Roane, Knox, Loudon, Morgan and Rhea County.*

d) **Assess the distribution of program/activity impacts, both positive and negative, to determine alternatives or compensatory measures to avoid or mitigate adverse and/or disproportionate impacts:**

No negative impacts are observed for this effort. Positive impacts are enhanced monitoring of DOE pollution sources and improved public outreach through publication of results. The cleanup of the National Priority Listed DOE site is enhanced by this program through review and audit of DOE projects

e) **Extent of program/activity outreach to encourage participation at public information meetings:**

Major reports are posted at <http://www.tn.gov/environment/doeo/active.shtml>. Outreach activities at local festivals such as the Secret City Festival are done several times a year. A sub grant is used to fund outreach to local governments. All activities and publications are performed in English.

**Title VI Revised Implementation Plan July 1, 1011 – June 30, 2012****TN Department of Environment and Conservation – Division of Water Supply****a.) Census information**

The Division of Water Supply does not collect racial and ethnic data on public water systems that receive federal financial assistance.

Based on census data:

**2010 Census Information for Tennessee**

77.60%	White alone
16.70%	Black alone
0.30%	American Indian and Alaska Native alone
1.40%	Asian alone
0.10%	Native Hawaiian and Other Pacific Islander alone
2.20%	some Other Race alone
1.70%	Two or More Races

**Total Population and Total Number Public Water Systems by Zip Code:**

<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>	-	<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>
4,421	37010	ADAMS	1		1,920	37828	NORRIS	1
2,229	37012	ALEXANDRIA	1		6,686	37830	OAK RIDGE	3
10,534	37015	ASHLAND CITY	2		36,495	37831	OAK RIDGE	2
2,215	37020	BELL BUCKLE	1		5,120	37840	OLIVER SPRINGS	1
10,095	37022	BETHPAGE	1		12,164	37841	ONEIDA	3
25,462	37024	BRENTWOOD	1		200	37846	SEVIERVILLE	1
328	37028	BUMPUS MILLS	3		15,205	37857	ROGERSVILLE	4
14,238	37030	CARTHAGE	4		17,801	37860	RUSSELLVILLE	1
8,475	37033	CENTERVILLE	1		2,372	37861	RUTLEDGE	7
1,833	37034	CHAPEL HILL	2		2,423	37862	SEVIERVILLE	16
193,330	37040	CLARKSVILLE	3		14,674	37863	PIGEON FORGE	3
14,316	37043	CLARKSVILLE	2		270	37865	SEYMOUR	2
1,040	37050	CUMBERLAND CITY	1		102	37866	SHARPS CHAPEL	1
55,542	37055	DICKSON	2		2,201	37869	SNEEDVILLE	2
11,578	37058	DOVER	16		150	37870	SPEEDWELL	2
1,029	37059	DOWELLTOWN	1		5,712	37872	SUNBRIGHT	1
250	37062	FAIRVIEW	1		2,335	37873	SURGOINSVILLE	1
91,344	37064	FRANKLIN	3		11,826	37874	SWEETWATER	3
41,083	37066	GALLATIN	1		33,463	37876	SEVIERVILLE	13
24,273	37067	FRANKLIN	1		530	37878	TALLASSEE	3
7,929	37073	GREENBRIER	2		25	37879	TAZEWELL	1
8,290	37074	HARTSVILLE	1		185	37881	THORN HILL	2
49,144	37075	HENDERSONVILLE	1		14,741	37882	TOWNSEND	8
75	37078	HURRICANE MILLS	1		5,863	37887	WARTBURG	1
9,271	37082	KINGSTON SPRINGS	1		3,322	37890	WHITE PINE	3
15,652	37083	LAFAYETTE	1		300	37891	WHITESBURG	1
32,981	37086	LAVERGNE	1		236,338	37915	KNOXVILLE	1
57,244	37087	LEBANON	3		30,691	37920	KNOXVILLE	1
19,280	37088	LEBANON	1		74,669	37922	KNOXVILLE	2
25,935	37091	LEWISBURG	3		21,168	37924	KNOXVILLE	2
350	37095	LIBERTY	1		65,859	37928	KNOXVILLE	1
6,310	37096	LINDEN	2		60,688	37932	KNOXVILLE	1

# ATTACHMENT E

<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>		<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>
2,808	37097	LOBELVILLE	1		105	37998	KNOXVILLE	1
9,254	37098	LYLES	1		12,153	38001	ALAMO	3
3,353	37101	MCEWEN	5		24,359	38004	ATOKA	2
42,054	37111	MCMINNVILLE	2		2,403	38006	BELLS	1
65,076	37115	MADISON	1		9,250	38008	BOLIVAR	3
56,990	37122	MOUNT JULIET	1		3,467	38011	BRIGHTON	1
94,022	37130	MURFREESBORO	1		16,551	38012	BROWNSVILLE	7
134,591	37133	MURFREESBORO	1		100	38014	BRUNSWICK	1
3,253	37134	NEW JOHNSONVILLE	2		42,163	38017	COLLIERVILLE	2
19,481	37135	NOLENSVILLE	1		100	38018	JACKSON	1
165	37137	NUNNELLY	4		20,341	38019	COVINGTON	4
7,680	37138	OLD HICKORY	3		23,687	38024	DYERSBURG	2
1,828	37140	ONLY	1		4,096	38025	DYERSBURG	1
6,772	37142	PALMYRA	1		1,769	38034	FRIENDSHIP	2
934	37144	PETERSBURG	1		1,017	38036	GALLAWAY	1
14,092	37146	PLEASANT VIEW	1		696	38037	GATES	1
380	37147	PLEASANTVILLE	1		1,201	38039	GRAND JUNCTION	1
19,531	37148	PORTLAND	1		5,561	38040	HALLS	1
5,482	37150	RED BOILING SPRINGS	2		4,345	38041	HENNING	2
30,722	37160	SHELBYVILLE	3		1,029	38044	HORNSBY	1
17,184	37162	SHELBYVILLE	1		198	38046	LAGRANGE	1
19,995	37166	SMITHVILLE	3		412	38048	MACON	1
42,690	37167	SMYRNA	2		2,858	38049	MASON	2
37,117	37172	SPRINGFIELD	1		1,103	38050	MAURY CITY	1
29,970	37174	SPRING HILL	2		87	37853	ROCKFORD	1
3,313	37178	TENNESSEE RIDGE	1		9,167	37854	ROCKWOOD	1
3,084	37181	VANLEER	1		1,447	38052	MIDDLETON	6
2,868	37183	WATRACE	1		8,441	38053	MILLINGTON	1
1,860	37184	WATERTOWN	1		6,300	38054	MILLINGTON	1
7,724	37185	WAVERLY	12		892	38057	MOSCOW	3
3,914	37186	WESTMORELAND	1		9,313	38058	MUNFORD	1
87,329	37188	WHITE HOUSE	1		8,747	38059	NEWBERN	2
9,188	37190	WOODBURY	2		9,983	38060	OAKLAND	1
8,521	37191	WOODLAWN	1		18,661	38063	RIPLEY	2
584,261	37208	NASHVILLE	2		1,027	38066	ROSSVILLE	2
53,868	37209	NASHVILLE	1		1,083	38067	SAULSBURY	3
7,836	37301	ALTAMONT	1		5,008	38068	SOMERVILLE	1
19,150	37303	ATHENS	4		200	38069	STANTON	1
1,308	37306	BELVIDERE	1		1,641	38075	WHITEVILLE	2
3,560	37307	BENTON	6		3,131	38079	TIPTONVILLE	2
100	37308	BIRCHWOOD	1		2,077	38080	RIDGELY	1
3,667	37309	CALHOUN	5		669,513	38111	MEMPHIS	1
722	37310	CHARLESTON	2		30	38118	MEMPHIS	1
74,140	37311	CLEVELAND	1		53,432	38135	BARTLETT	1
50	37312	CLEVELAND	1		33,633	38138	GERMANTOWN	1
325	37314	COKER CREEK	1		6,106	38201	MCKENZIE	8
2,068	37317	COPPERHILL	7		1,445	38220	ATWOOD	3
2,455	37318	COWAN	1		1,728	38221	BIG SANDY	6
20,117	37321	DAYTON	2		622	38222	BUCHANAN	4
5,660	37322	DECATUR	2		100	38224	COTTAGE GROVE	1
16,365	37323	CLEVELAND	2		3,594	38225	DRESDEN	1
4,168	37324	DECHERD	1		1,750	38229	GLEASON	3
40	37326	DUCKTOWN	1		2,390	38230	GREENFIELD	2
8,952	37327	DUNLAP	4		510	38231	HENRY	1
3,467	37329	ENGLEWOOD	1		1,385	38232	HORNBEAK	1
9,832	37330	ESTILL SPRINGS	2		1,704	38233	KENTON	2
11,434	37331	ETOWAH	1		377	38235	MCLEMORESVILLE	1

# ATTACHMENT E

<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>	<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>
32,376	37334	FAYETTEVILLE	3	12,737	38237	MARTIN	1
19,338	37336	GEORGETOWN	1	4,835	38240	OBION	2
1,784	37338	GRAYSVILLE	1	50	38241	PALMERSVILLE	1
56,947	37343	HIXSON	1	15,503	38242	PARIS	5
1,546	37345	HUNTLAND	1	1,309	38251	PURYEAR	2
9,245	37347	JASPER	1	70	38253	RIVES	1
6,056	37352	LYNCHBURG	2	761	38254	SAMBURG	1
12,307	37354	MADISONVILLE	4	1,563	38255	SHARON	3
26,654	37355	MANCHESTER	6	4,842	38256	SPRINGVILLE	15
4,238	37356	MONTEAGLE	2	4,235	38257	SOUTH FULTON	1
15,407	37357	MORRISON	1	1,019	38258	TREZEVANT	1
9,631	37367	PIKEVILLE	3	785	38259	TRIMBLE	1
380	37369	RELIANCE	5	2,151	38260	TROY	1
3,028	37370	RICEVILLE	1	18,138	38261	UNION CITY	2
108	37371	ENGLEWOOD	1	94,657	38301	JACKSON	7
4,372	37373	BAKEWELL	1	456	38302	JACKSON	1
5,303	37375	SEWANEE	1	212	38305	JACKSON	2
51	37376	SHERWOOD	1	8,189	38310	ADAMSVILLE	1
15,459	37377	SIGNAL MOUNTAIN	3	927	38315	BETHEL SPRINGS	1
5,723	37379	SODDY-DAISY	4	1,239	38316	BRADFORD	1
6,547	37380	SOUTH PITTSBURG	2	1,642	38317	BRUCETON	1
6,530	37381	SPRING CITY	5	9,982	38320	CAMDEN	5
1,386	37382	TRENTON	1	1,436	38324	CLARKSBURG	1
10,840	37384	SODDY-DAISY	1	6,427	38326	COUNCE	1
6,996	37385	TELLICO PLAINS	6	2,127	38329	DECATURVILLE	1
4,425	37387	TRACY CITY	1	2,523	38330	DYER	1
26,668	37388	TULLAHOMA	2	75	38333	EVA	2
2,925	37389	ARNOLD AFB	2	468	38338	GIBSON	1
2,701	37391	TURTLETOWN	1	8,972	38340	HENDERSON	3
8,043	37397	WHITWELL	2	52	38341	HOLLADAY	1
19,468	37398	WINCHESTER	1	929	38342	HOLLOW ROCK	1
588	37401	CHATTANOOGA	1	10,135	38343	HUMBOLDT	4
179,191	37402	CHATTANOOGA	1	5,973	38344	HUNTINGDON	1
52	37405	CHATTANOOGA	1	229	38347	JACKS CREEK	2
30	37419	CHATTANOOGA	1	1,323	38348	LAVINIA	1
46,011	37422	CHATTANOOGA	1	23,455	38351	LEXINGTON	3
4,414	37587	ROGERSVILLE	1	290	38352	LURAY	2
95,996	37601	JOHNSON CITY	1	545	38355	MEDINA	2
12,623	37617	BLOUNTVILLE	1	305	38356	MEDON	1
7,707	37618	BLUFF CITY	3	2,579	38357	MICHIE	1
10,647	37620	BRISTOL	14	11,236	38358	MILAN	2
28,042	37621	BRISTOL	1	9,936	38363	PARSONS	3
1,742	37640	BUTLER	6	120	38366	PINSON	1
75	37641	CHUCKY	1	2,527	38367	RAMER	2
19,219	37642	CHURCH HILL	3	1,376	38369	RUTHERFORD	1
47,870	37643	ELIZABETHTON	8	1,829	38370	SALTILLO	1
117	37644	ROAN MOUNTAIN	1	6,343	38371	PLEASANT HILL	2
12,431	37650	ERWIN	4	18,767	38372	SAVANNAH	3
4,231	37658	HAMPTON	3	4,102	38374	SCOTTS HILL	1
26,681	37659	JONESBOROUGH	2	17,886	38375	SELMER	1
11,853	37660	KINGSPORT	2	415	38380	SUGAR TREE	4
50	37663	KINGSPORT	1	614	38381	TOONE	1
89,766	37664	KINGSPORT	2	12,524	38382	TRENTON	5
50	37680	LAUREL BLOOMERY	1	950	38391	DENMARK	3
10,940	37683	MOUNTAIN CITY	5	74,731	38401	COLUMBIA	2
1,460	37687	ROAN MOUNTAIN	9	3,825	38425	CLIFTON	1
125	37688	SHADY VALLEY	2	1,606	38449	ARDMORE	1

<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>	<u>POPUL</u>	<u>ZIP</u>	<u>CITY</u>	<u>PWS</u>
193	37691	TRADE	2	1,996	38450	COLLINWOOD	3
101	37692	UNICOI	2	100	38452	CYPRESS INN	1
747	37705	ANDERSONVILLE	4	6,563	38459	BYRDSTOWN	1
8,094	37708	BEAN STATION	2	9,326	38462	HOHENWALD	4
50	37713	BYBEE	1	703	38463	IRON CITY	3
1,550	37715	CLAIRFIELD	1	25,272	38464	LAWRENCEBURG	6
15,004	37717	CLINTON	1	3,064	38468	LEOMA	1
1,745	37722	COSBY	6	3,881	38469	LORETTO	2
262	37723	CRAB ORCHARD	1	850	38472	LYNNVILLE	1
372	37724	CUMBERLAND GAP	1	5,661	38473	MINOR HILL	1
26,754	37725	DANDRIDGE	12	7,410	38474	MOUNT PLEASANT	1
560	37727	HOT SPRINGS	2	225	38476	PRIMM SPRINGS	1
4,532	37737	FRIENDSVILLE	2	3,409	38477	PROSPECT	1
19,595	37738	GATLINBURG	18	17,608	38478	PULASKI	3
37,255	37743	GREENEVILLE	5	1,347	38481	ST JOSEPH	1
25	37744	GREENEVILLE	1	3,851	38483	SUMMERTOWN	2
22,122	37745	GREENEVILLE	3	4,466	38485	WAYNESBORO	8
28,306	37748	HARRIMAN	3	311	38486	WESTPOINT	1
9,401	37752	HARROGATE	3	13,019	38501	COOKEVILLE	2
1,131	37753	HARTFORD	2	3,087	38504	ALLARDT	1
11,906	37756	HUNTSVILLE	1	55,735	38506	ALGOOD	4
10,483	37757	JACKSBORO	1	4,133	38541	ALLONS	1
24,353	37760	JEFFERSON CITY	3	4,728	38544	BAXTER	1
4,387	37762	JELICO	1	5,045	38551	CELINA	1
8,297	37763	KINGSTON	1	66,545	38555	CROSSVILLE	5
25,564	37766	LA FOLLETTE	6	16,181	38556	JAMESTOWN	2
26,677	37769	LAKE CITY	2	8,867	38562	GAINESBORO	5
35,179	37771	LENOIR CITY	5	4,072	38563	GORDONSVILLE	3
3,896	37772	LENOIR CITY	1	12,570	38570	LIVINGSTON	1
20,643	37774	LOUDON	3	356	38571	CROSSVILLE	1
107	37777	LOUISVILLE	1	150	38572	CROSSVILLE	1
8,515	37779	LUTTRELL	1	8,568	38574	MONTEREY	4
81,595	37801	MARYVILLE	3	3,733	38575	MOSS	1
23,437	37804	MARYVILLE	1	1,212	38577	PALL MALL	1
65	37806	MASCOT	1	7,614	38580	RICKMAN	1
6,407	37807	MAYNARDVILLE	5	32,278	38583	SPARTA	5
1,547	37811	MOORESBURG	3	5,156	38585	SPENCER	1
4,560	37813	MORRISTOWN	1	37,741	42223	FT CAMPBELL	1
31,168	37814	MORRISTOWN	2				

<b>Total Population by Zip Code:</b>	6,414,156
<b>Total Public Water Systems by Zip Code:</b>	853
<b>Approx Number Persons served per PWS:</b>	7,519

**b.) Total Federal Dollar Amount**  
\$ 2,374,600.00

**c.) Area served**  
Statewide

**d.) assess the distribution of program/activity impacts, both positive and negative, to determine alternatives or compensatory measures to avoid or mitigate adverse and/or disproportionate impacts**

The Division speaks at TAUD (Tennessee Association of Utility District) meetings to keep public water system suppliers informed of regulation changes and upcoming concerns. Reminder notices are sent to public water systems to keep them informed of dates when required data is to be filed with the Division. The Division works with the Water Resources Technical Advisory Committee on regional planning studies, which involves major community outreach and input. In addition, the Division maintains on its website videos, available in English and Spanish, on wellhead protection, source water protection and general ground water hydrology for karst and sand aquifers.

**e.) the extent of program/activity outreach to encourage participation at public information meetings**

The Division publishes in major Tennessee newspapers when there will be a public hearing on rule changes. The Division has an active and informative website that includes all our publications and Division information. Upon request, the Division has conducted presentations to schools, civic organizations and children's museums. The Division is always available upon request to make presentations and continues to look for ways to increase information sharing.

**Division of Remediation (DOR) – Activities are statewide**

The Division of Remediation (DOR) is responsible for administering the Hazardous Waste Remedial Action Fund (HWRAF); for identifying and investigating hazardous substance sites; and developing practical and effective remedies to stabilize, remediate, contain, monitor and maintain these sites. These activities eliminate threats to public health, safety, and the environment posed by hazardous substances. The Division receives federal funding through several Environmental Protection Agency and Department of Defense cooperative agreements or other sources. The federal revenue reimburses certain DOR expenses and is deposited into the fund. These funds support statewide DOR activities and primarily reimburse personnel costs.

- a) **Census Information:** US Census information for Tennessee
- b) **Total Federal Dollar Amount:** (FY 11-12) \$1,736,158.79
- c) **Area Served:** Statewide
- d) **Assess the distribution of program/activity impacts and measures to avoid or mitigate adverse or disproportionate impacts:**

Annually the Division’s senior management meets with each field office manager to discuss status of inactive hazardous substance sites in their areas and to plan activities for the upcoming year. Part 2 of the Hazardous Waste Management Act of 1983 (TCA 68-212-206(d)) requires that “in selecting containment and clean up actions, including monitoring and maintenance, under this section, the commissioner shall evaluate reasonable alternatives and select those actions which the commissioner determines are necessary to protect public health, safety, and the environment. The goal of any such action shall be clean up and containment of the site through the elimination of the threat to the public health, safety, and the environment posed by the hazardous substance. In choosing the necessary actions at each site, the commissioner shall consider the following factors:

- a) The technological feasibility of each alternative;
- b) The cost-effectiveness of each alternative;
- c) The nature of the danger to the public health, safety, and the environment posed by the hazardous substance at the site; and
- d) The extent to which each alternative would achieve the goal of this subsection (d).

To the extent practicable, any such containment and clean up, including monitoring and maintenance, shall be consistent with the national contingency plan promulgated pursuant to § 105 of Public Law 96-510, 42 U.S.C. § 9605.”

Division program activities apply these criteria statewide thereby avoiding or mitigating adverse or disproportionate impacts.

- e) **The extent of program/activity outreach to encourage public participation:**

The Division continues to be proactive in identifying, educating and addressing public health and environmental concerns at sites throughout the state. During this past fiscal year the Division has worked with concerned community groups in the Chattanooga, Jackson, Memphis and Nashville area. The Division also conducts Brownfield workshops, hazardous waste generator fee workshops, rule making hearings, public availability/listening sessions, and encourages public participation/comments on proposed plans prior to finalization of a Record of Decision (ROD). In addition voluntary agreements or consent orders are required by statute to address public notice and public input.

**TITLE VI IMPLEMENTATION PLAN**  
**July 1, 2011 through June 30, 2012**

The Tennessee Historical Commission receives federal monies from the Historic Preservation Fund to carry out the National Historic Preservation Act of 1966 as amended. Implemented by the U. S. Department of the Interior, there are several programmatic components. They are: Survey of historic properties; listing of eligible properties in the National Register of Historic Places that are 50 years old or older; Section 106 Review and Compliance; the Investment Tax Credit Program; Local Government Assistance; and Federal Preservation Grants.

The National Register of Historic Places is the Nation's list of cultural resources considered worthy of preservation. There are over 2000 entries in the National Register from Tennessee. Every county in the state has at least one entry. Of the 2000 entries in the National Register, 98 or 19.6% are related to cultural resources associated with African Americans. From June 1, 2011 to June 30, 2012, 29 properties were added to the National Register of Historic Places. Of that number, three related to African Americans and two related to Native Americans.

The Tennessee Historical Commission is responsible for consultation with agencies, applicants, and interested persons relative to the Section 106 review process. The Local Government coordinator can provide assistance in writing historic zoning ordinances, conducting public meetings, establishing historic districts and design guidelines, and in becoming a Certified Local Government. In Tennessee, buildings of almost every type imaginable have benefited from the Investment Tax Credit (ITC) program, from B&Bs and hotels and shotgun houses to large-scale business developments. Seven hundred and fifty buildings in Tennessee have been rehabilitated using the ITC program, generating over \$500 million investment in Tennessee's historic buildings.

The Tennessee Historical Commission awards federally funded grants for historic preservation projects. The amount of funds available each year is decided when Congress passes the annual budget and could be in the range of \$400,000 to be divided appropriately. To be an eligible recipient for a preservation grant, the majority of the properties must be listed in the National Register of Historic Places. The grants are

matching grants and will pay up to 60% of the cost of approved project work. The remaining 40% must be provided by the grantee as matching funds. Grants can also be provided to those entities wishing to do surveys of properties 50 years old or older. This component helps to identify those properties eligible for the National Register of Historic Places, as well as properties that may face an adverse impact from projects that are federally funded. For the fiscal year ending June 30, 2012, the commission awarded federal preservation grants just over of \$600,000.00. Of this amount, \$42,797.00 relate to projects associated with minorities. While the remaining total is not readily identifiable with minorities, there is the possibility that minorities will benefit from the Historic Preservation program especially from those grants made to development districts.

The Historical Commission informs those eligible to received Historic Preservation grants by a press release each year during the grant cycle. Prepared by the commission, this press release is submitted to TDEC's public relations personnel for distribution to news outlets. Notification is also rendered in the commission's newsletter, *The Courier* and is placed on the commission's website, where a copy of the application can be downloaded.

The Federal Programs of the Tennessee Historical Commission (State Historic Preservation Office) serves citizens statewide. Based on the 2010 US census data, Tennessee's population is 6,346,105. Of that number whites constitute 77.6%, Blacks, 16.7%, American Indian and Alaska Native person .03%, Asian

persons, 1.4%, Native Hawaiian and Other Pacific Islander, .01%, Persons reporting two or more races, 1.7%, persons of Hispanic or Latino origin, 4.6%, and White person not Hispanic, 75.6%.

Over the course of Fiscal Year 2012, the Tennessee Historical Commission did not have to use LEP services. Likewise, there were no LEP findings against the Tennessee Historical Commission from July 1, 2011 through June 30, 2012.

During the 2011-2012 Fiscal Year, the Tennessee Historical Commission conducted a survey of its grantees that receive state grants for the operation of historic sites and for the publication of historical journals throughout the state. Of the 24 survey instruments sent out, 22 or 91.7% responded. Of the twenty questions on the survey, the commission tabulated questions 6 A-through 20. **See Appendix.**

THC	SELF SURVEY	TITLE VI	See Survey #6 A-#20	No. 6-A	No. 6-B	No. 6-C	No. 5-D	No. 7	No. 8	No. 9	No. 10	No. 11	No. 12	No. 13	No. 14	No. 15	No. 16	No. 17	No. 18	No. 19	No. 20	Page 4			
				E/A	W	NW	YRS	MTHS	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N				
				A	3	3	Unlimited	N/A	Y	None	N/A	Y	Handbook	Y	Y	Y	None	Y	Y	Y	Y				
				N/A	N/A	N/A	N/A	N/A	Y	Y	N/A	Y	Posters	Y	N	N	None	None	N/A	N	Y				
				E	W	W	Unlimited		N	Y	N/A	None	None	None	N	N	None	None	None	Y	Y				
				E	N/A	N/A	2 YRS		Y	Y	None	Y	Posters	Y	Y	Y	Mtgs	Y	Y	Y	Y				
				E	17W	2NW	3Yrs.		Y	Y	N/A	Y	Posters	Y	Y	Y	Mtgs.	Y	Y	N	Y				
				A	W	W	2 Yrs.		Y	Y	N/A	None	None	N	N	N	None	None	None	N	Y				
				A	W	W	1yr.		N	Y	N/A	Y	Trng.	Y	Y	Y	Mtgs.	None	None	N	Y				
				E	W 41	NW 2	3 Yr		Y	Y	N/A	Y	Posters	Y	Y	Y	Hand bk	Y	Y	N	Y				
				E	W 6	NW 7	2 Yrs.		Y	Y	N/A	Y	Mtgs	Y	Y	Y	Mtgs.	Y	Y	N	Y				
				E	W 5	W	2 Yrs.		Y	Y	N/A	Y	Posters	Y	Y	Y	Hand bk	None	None	Y	Y				
				A	W	W	2 Yrs.		Y	Y	N/A	Y	Posters	Y	Y	Y	Mtgs	None	N/A	Y	Y				
				E	W 7	W	2 Yrs.	New Pol	Y	Y	N/A	Y	Posters	Y	Y	Y	Posted	None	N/A	N	Y				
				E	W 8	W	3 Yrs	N/A	Y	Y	N/A	Y	Posters	Y	Y	Y	Review	N/A	Y	Y	Y				
				E	W 9	W	Life	n/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A				
				Volunteers																					
				E/A	W 5	W	3 Yrs/1 yr.		Y	Y	N/A	Y	Interview	Y	Y	Y	Review	Y	N/A	N	Y				
				E	W 18	nw 2	3 Yrs		Y	Y	N/A	Y	Trng.	Y	Y	Y	Trng	Y	Y	Yes	Y				
				E	W	W	2-3Yr Terms		Y	Y	N/A	Y	Posters	Y	Y	Y	Mtgs			N	Y				
				E	W 14	NW 2	2 Yrs		Y	Y	N/A	Y	Posters	Y	Y	Y	Policy	N/A	N/A	N	Y				
				TLA -Blank Report																					
				E	W	W	2 Yrs. 2 term		Y	Y	N/A	Y	News ltrs	Y	Y	Y	Verbal	N	N	N	Y				
				E	W 5	W	Life		N/A	N/A	N/A	None	None	None	None	None		N/A	N/A	Y	Y				
				E	W 8	W	2 Yrs.		Y	Y	N/A	Y	Clients	Y	Y	Y		N/A	Y	N	Y				
				UT - N/A																					

Tennessee Historical Commission/  
Department of Environment & Conservation  
TITLE VI Self-Survey

1. Date Self Survey Prepared:\_\_\_\_\_

2. Name of Respondent (City, County or Agency)\_\_\_\_\_

3. Street Address\_\_\_\_\_

City/ County\_\_\_\_\_

State Zip Code\_\_\_\_\_

Phone Fax No. \_\_\_\_\_

Email:\_\_\_\_\_

4. Name and Title of Administrative Head

(NAME)\_\_\_\_\_

(TITLE)\_\_\_\_\_

5. Name and Title of Local Title VI Coordinator

(NAME)\_\_\_\_\_

(TITLE)\_\_\_\_\_

6. List appointed Advisory Committee, may be an existing committee or board (i.e., Planning Commission or Zoning Board, etc). You only need one Title VI Committee (5-7 people).

A. Are the members... Elected Appointed\_\_\_\_\_

B. What is the racial composition of the group?

White Non-White Total\_\_\_\_\_

C. What are the terms of service? (years or months)\_\_\_\_\_

D. If minorities represent 5% (or more) of the population in the geographic service area but not serving on any advisory groups, what steps will be taken to obtain minority representation?

7. Do you have a written non-discrimination policy stating that services will be provided to all persons without regard to race, color or national origin?

YES /NO \_\_\_\_\_

8. Are Title VI information posters, including the name of the local coordinator prominently and publicly displayed? YES/NO \_\_\_\_\_

9. Are permanent records kept on all Title VI complaints? YES/ NO \_\_\_\_\_

10. If applicable, describe any complaints received this year. List name, race charge and findings.

11. Is Title VI information disseminated to your employees, clients, and constituents? YES/ NO \_\_\_\_\_

12 Describe the way in which they are informed.

13. Are you confident that applicants and clients are aware of their rights under Title VI of the Civil Rights Law, including the right to file a complaint? YES/ NO \_\_\_\_\_

14. Are new employees clearly informed about their specific responsibilities to clients under Title VI? YES/ NO \_\_\_\_\_

15. Are staff members periodically reminded of information detailing their Title VI responsibilities? YES /NO \_\_\_\_\_

16. If yes, please state the way in which this is done.

17. Do all contracts that provide direct services contain a Title VI Statement of Compliance? YES/ NO \_\_\_\_\_(Please attach copy)

18. Are each of your sub-contracts or vendors clearly aware of your commitment to Title VI? YES/ NO \_\_\_\_\_

19. Does a written policy exist which states that courtesy titles (i.e., Mr., Mrs., Ms., or Miss)

will be used by staff to address clients without regard to race, color, or national origin? YES/  
NO\_\_\_\_\_

20. Are all physical areas (i.e., rest rooms, dining rooms, waiting rooms, etc.) provided without  
regard to race, color or national origin? YES /NO\_\_\_\_\_

State Revolving Fund Loan Program. Activities are statewide.

- a) Census Information (2010 June 17, data from Census.gov)

Total Population Tennessee 6,346,105

Population by Race

White	4,921,948	77.6%
African American	1,057,315	16.7%
Asian	91,242	1.4%
American Indian and Alaska Native	19,994	0.3%
Native Hawaiian and Pacific Islander	3,642	0.1%
Other	141,955	2.2%
Identified by two or more	110,009	1.7%

Population by Ethnicity

Hispanic or Latino	290,059	4.6%
Non Hispanic or Latino	6,056,046	95.4%

- b) FY 2011 - Federal dollar amount \$10,467,000 Drinking Water and \$21,451,000 Clean Water (budget amount)
- c) Area served: statewide
- d) Distribution of services: See listed information for drinking water and clean water facilities. All SRF loan recipients are required to conduct a public meeting regarding intended projects and solicit public comments and address customer concerns regarding such projects. SRF loan requests are not processed without such public meeting component.
- e) All SRF fund recipients must meet DBE goals as established by the SRF loan program or be in compliance with the six good faith efforts. Additionally, loan recipients must also be in compliance with the environmental justice requirements.

Additional  
Info. to item  
#b

**TOTAL FEDERAL FUNDING RECEIVED FOR FY ENDING JUNE 30, 2012**

<b>CLEAN WATER (CWSRF)</b>	<b>\$21,451,000</b>
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<b>DRINKING WATER (DWSRF)</b>	<b>\$10,467,000</b>
-----------------------------------	---------------------

Additional  
Info. to item  
# c and d

**PROJECTS FUNDED FROM 7/1/2011 THRU 6/30/2012**

**CLEAN WATER**

<b>Loan Recipient</b>	<b>Project Number</b>
-----------------------	-----------------------

<b>DATE:</b>	<b>11/1/2011</b>
--------------	------------------

Bell Buckle	CW1 2012-300
Chattanooga	SRF 2011-289
Harriman	CGO 2011-269
Millington	SRF 2011-271

<b>DATE:</b>	<b>12/7/2011</b>
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Hallsdale-Powell UD	SRF 2011-279
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**DRINKING WATER**

<b>Loan Recipient</b>	<b>Project Number</b>
-----------------------	-----------------------

<b>DATE:</b>	<b>11/1/2011</b>
--------------	------------------

Bell Buckle	DW1 2012-117
Harriman	DW0 2011-109

<b>DATE:</b>	<b>12/7/2011</b>
--------------	------------------

None
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ATTACHMENT E

DATE:	3/13/2012
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Tullahoma	CW0 2012-297
Union City	SRF 2012-305

DATE:	4/3/2012
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None
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DATE:	6/6/2012
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Hamilton County WWTA	CW0 2012-298
Water Authority of Dickson County	CW0 2012-295
White House	CG1 2012-302
White House	SRF 2012-308

DATE:	3/13/2012
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None
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DATE:	4/3/2012
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Crossville	DW1 2012-116
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DATE:	6/6/2012
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Lebanon	DW0 2012-126
Lebanon	DWF 2012-127

Title VI Implementation Plan - Data Collection and Analysis  
 Division of Solid Waste Management - Toxic Substances Program September 2012

**HUD Lead Hazard Reduction Demonstration Program - \$4.5-MM over 3.5-years**

a) census information;

**Table 1: Davidson County Population Data**

	Count	Percent total Population	Percent owner-occupied
Total Population	626,681		
Children<6yrs	51973	8.3%	
Children <6 yrs tested for lead (2010)	6,758	13%	
Area Mean Income (AMI) 2012	\$ 67,100		
80% AMI*		50%	29%
50% AMI*		33%	13.5%
* American Community Survey (ACS) 2005-2009 estimates are used where Census 2010 data are unavailable			

**Table 2: Davidson County Housing Data**

	Count	Percent
Total Housing units	283,978	
Built before 1978	181,746	
Owner-occupied	148,862	52.4%
Rental	126,938	44.7%
* American Community Survey (ACS) 2005-2009 estimates are used where Census 2010 data are unavailable		

b) total federal funding dollar amount received by your program for FY ending June 30, 2012;

\$977,022

c) area served (statewide or specific city/town); Davidson County

d) assess the distribution of program/activity impacts, both positive and negative, to determine alternatives or compensatory measures to avoid or mitigate adverse and/or disproportionate impacts,

(has anything been done to ensure that minority communities are not disparately impacted by your programs/activities?); and –

The Program is required to comply with Section 3 regulations and compliance is reported annually to HUD. The Program exceeded its grant benchmark for providing free job-skills training in lead safe work practices to build capacity in Davidson County of certified workers to perform lead hazard reduction and enhance economic opportunities for Section 3 individuals. The free training resulted in the hiring of 10 Section 3 individuals. Several veterans associated with Operation Stand-down also received free weatherization training and certification through the Department of Energy (DOE) and have started their own businesses for the weatherization programs. Lead based paint certification is required to participate in the DOE weatherization program.

e) the extent of program/activity outreach to encourage participation at public information meetings.

Extensive marketing, outreach and education included a billboard advertising the program over three months in a location projected to give more than 50,000 impressions per day. Through a partnership with the local electric utility, mail-outs in the utility bills reached more than 500,000 households. We participated in a live radio talk show on Nashville's top-rated urban radio station that reached an audience of 127,000 people. The radio station broadcasted live, for four hours, from other events, airing ten public service announcements each day, seven days a week for two weeks, totaling a projected audience of 100-MM people. Lastly, we rented and sat up booths at community-based festivals and outings, that had a captured audience attendance of more than 60,000.

**Division of Air Pollution Control**

a) 2011 Tennessee Census information:

*Population 6,403,353*

*77.6% White*

*16.7% black*

*American Indian and Alaska Native 0.3%*

*Asian 1.4%*

*Native Hawaiian and Other Pacific Islander 0.1%*

*Persons reporting two or more races 1.7%*

*Persons of Hispanic or Latino origin 4.6%*

*White not Hispanic 75.6%*

(b) Total federal dollar amount, FY 2011

*\$1,266,947*

(c) Area served: *All TN counties except Davidson, Hamilton, Knox, and Shelby*

(d) assess the distribution of program/activity impacts, both positive and negative, to determine alternatives or compensatory measures to avoid or mitigate adverse and/or disproportionate impacts

*All TDEC-APC assistance is equally available to all permit holders and interested citizens regardless of race, ethnicity, gender, religion, and economic class.*

(e) the extent of program/activity outreach to encourage participation at public information meetings

*All notices of proposed permit issuance are published in local papers of general circulation and our website, which are available to all citizens. Rulemaking notices are published in the Tennessee Administrative Register which is available online. Most Tennessee public libraries make the internet available to all at no cost for those unable to pay for home internet service. The Division also maintains a permit registry in which citizens may request to be notified at least twenty days prior to issuance of permits in their county.*

**Title VI Implementation Plan Revision**  
**July 1, 2011 - June 30, 2012**

**TN Department of Environment and Conservation - Division of Underground Storage Tanks**

**a). census information**

The Division of Underground Storage Tanks does not collect racial and ethnic data on the persons that receive federal financial assistance. We have requested written correspondence from the US EPA excusing this obligation, but to date, this correspondence has not been received.

If based on census data:

**2010 Census information for Tennessee**

77.60%	White alone
16.70%	Black alone
0.30%	American Indian and Alaska Native alone
1.40%	Asian alone
0.10%	Native Hawaiian and Other Pacific Islander alone
2.20%	Some Other Race alone
1.70%	Two or More Races

**# of Registered Petroleum UST Owners in the State of Tennessee: 2668**

2070	White alone
446	Black alone
8	American Indian and Alaska Native alone
37	Asian alone
3	Native Hawaiian and Other Pacific Islander alone
59	Some Other Race alone
45	Two or More Races

**# of Active Leaking UST Trust Fund grant cases in the State of Tennessee: 73**

57	White alone
12	Black alone
0	American Indian and Alaska Native alone
1	Asian alone
0	Native Hawaiian and Other Pacific Islander alone
2	Some Other Race alone
1	Two or More Races

**b) total federal dollar amount**

\$4,448,688.08

**c) area served**

Statewide

TDEC-UST Title VI Implementation Plan Revision

September 24, 2012

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**d) assess the distribution of program/activity impacts, both positive and negative, to determine alternatives or compensatory measures to avoid or mitigate adverse and/or disproportionate impacts**

The Division does not believe it has any negative or disproportionate impacts that require development of any alternative or compensatory measures. The Division issues a Compliance Toolbox CD annually to all tank owners to communicate all new requirements as well as reference general information. The Division follows the Energy Act of 2005 requirement that all regulated petroleum UST facilities be inspected every three (3) years. The Division provides free online petroleum UST operator training called Tennessee Tank Helper. The Division responds to reported releases of petroleum and requires assessment. The necessity of remediation is determined based on risk to human health and the environment.

**e) the extent of program/activity outreach to encourage participation at public information meetings**

The Division issues a Compliance Toolbox CD annually to all tank owners to communicate all new requirements as well as reference general information. The Division distributes publications developed by EPA as well as its own documents upon request. Mass mailings have been distributed to all tank owners to communicate program changes as well. The Division has an active and informative website that includes all our publications and UST information.

The Division gives presentations to interested organizations, such as the Tennessee Fuel and Convenience Store Association on a frequent basis. Extensive training is scheduled for Spring 2013 on corrective action and costs. The Division is available upon request to make other presentations and continues to look for opportunities to increase information sharing.

**Historic allotments 32734 and 32737, Water Pollution Control now re-organized as part of the Division of Water Resources**

**Activities: Statewide**

- a) census information (2011 update of 2010 census, Source: US Census Bureau State & County QuickFacts from census.gov);

Tennessee population: 6,403,353

White persons, percent, 2011 (a)	79.5%
Black persons, percent, 2011 (a)	16.9%
American Indian and Alaska Native persons, percent, 2011 (a)	0.4%
Asian persons, percent, 2011 (a)	1.5%
Native Hawaiian and Other Pacific Islander persons, percent, 2011 (a)	0.1%
Persons reporting two or more races, percent, 2011	1.6%
TOTAL	100%

Persons of Hispanic or Latino Origin, percent, 2011 (b)	4.7%
White persons not Hispanic, percent, 2011	75.4%

- (a) Includes persons reporting only one race.
- (b) Hispanics may be of any race, so also are included in applicable race categories.

**b) federal funding received by your program for FY ending June 30, 2012:**

32734: \$5,286,963.88  
 32737: \$ 627,468.00  
 TOTAL:\$ 5,914,431.88

**c) area served:** Statewide

**d) distribution of program/activity impacts, both positive and negative:**

Distribution of services: Services are distributed statewide. Water resources are geographic features not associated with population density or political units. Waters are assessed for pollution in 55 watersheds on a rotating 5-year schedule that has each watershed assessed once during a five year period. The watersheds cover the entire state. Regulatory portion of program is also statewide but location of activity controls the geographic point of the service. Permits are reviewed and issued by watershed on the same 5-year cycle as the watershed assessment. There is a field office assigned to each county in Tennessee to cover the watershed evaluations and permit activity. Mining reclamations are restricted to areas that have been mined and abandoned that need stabilization and restoration.

**e) extent of program/activity outreach to encourage participation:**

The Division of Water Resources spent \$23,295.10 on historic water pollution control advertising for public notices for major permit actions and public hearings. This was spent on newspaper advertising for major newspaper in area of the action. In addition, public notices for surface water pollution control are posted on the department website for those with internet access. The web presence also includes permit actions, completed enforcement actions, inspections, complaint investigations, etc. The cost of maintenance of our web presence for these functions is part of the information system used by the division. Costs are not tracked separately for the public notification benefits but are rolled in with our information systems use and maintenance.

**Tennessee Department of Environment and Conservation  
Recreation Educational Services  
Title VI Implementation Plan Revision for July 1, 2011 – June 30, 2012  
September 7, 2012**

a) census information;

Tennessee's Census information was obtained from the United State's Census Bureau' Tennessee Quickfacts. This information can be found at:

<http://quickfacts.census.gov/qfd/states/47000.html>

Tennessee's census information from 2011:

<b>Population, 2011 estimate</b>	<b>6,403,353</b>
<b>White persons, percent, 2011 (a)</b>	<b>79.5%</b>
<b>Black persons, percent, 2011 (a)</b>	<b>16.9%</b>
<b>American Indian and Alaska Native persons, percent, 2011 (a)</b>	<b>0.4%</b>
<b>Asian persons, percent, 2011 (a)</b>	<b>1.5%</b>
<b>Native Hawaiian and Other Pacific Islander persons, percent, 2011 (a)</b>	<b>0.1%</b>
<b>Persons reporting two or more races, percent, 2011</b>	<b>1.6%</b>
<b>Persons of Hispanic or Latino Origin, percent, 2011 (b)</b>	<b>4.7%</b>
<b>White persons not Hispanic, percent, 2011</b>	<b>75.4%</b>

b) total federal funding dollar amount received by your program for FY ending June 30, 2012;

**-2012 Land & Water Conservation Fund (LWCF) Certificate of Appropriation and Gulf of Mexico Energy Security Act (GOMESA) - \$788,841.-2012**

**-Recreational Trails Program (RTP) Allocation - \$1,531,623**

c) area served (statewide or specific city/town);

**-The areas served by local, county, state and federal parks is statewide in Tennessee.**

d) assess the distribution of program/activity impacts, both positive and negative, to determine alternatives or compensatory measures to avoid or mitigate adverse and/or disproportionate impacts, (has anything been done to ensure that minority communities are not disparately impacted by your programs/activities?); and

**TDEC/RES**

**Title VI Implementation Plan Revision for July 1, 2011 – June 30, 2012**

**September 7, 2012**

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**Parks funded by the grant programs that TDEC administers must be open to the public in perpetuity. Grant cycles are announced in press releases, and applications are competitively scored. Public meetings are a required part of the application process. The application workshops held prior to the submittal of the applications are open to the public. Recreation Educational Services Parks and Recreation Technical Advisory Service is available to answer questions from potential applicants, and also is willing to discuss areas of potential improvement for any not funded in a given grant cycle.**

**No negative impacts are observed for this effort.**

e) the extent of program/activity outreach to encourage participation at public information meetings.

**Tennessee's State Recreation Plan, called "Tennessee 2020, Vision for Parks, People and Landscapes, details the many sources of public input that were included in the completed document. [http://www.tn.gov/environment/recreation/pdf/2020\\_full\\_version.pdf](http://www.tn.gov/environment/recreation/pdf/2020_full_version.pdf)**

**The following excerpt details the sources of input, and can be located on page 8 of the Tennessee 2020 plan:**

**"Sources of Input**

**The planning process made use of several sources of input to gain understanding of the issues, concerns and priorities relating to recreation and conservation in Tennessee:**

- Seven public meetings. These were held in the four major metropolitan areas of Tennessee.**
- Online Public Survey. The opportunity to participate in an online survey was widely advertised among conservation and recreation-related organizations. The respondents were self-selected, making this an unscientific but useful survey.**
- 2009 Tennessee Recreation Attitudes and Behavior Survey (TRAB). This was a scientific survey using randomly selected respondents to represent Tennessee's adult population as a whole.**
- Recreation Provider Survey. This survey was circulated to all local parks and recreation departments in Tennessee and to all State Parks.**
- Tennessee Recreation Advisory Committee (TRAC). This committee provided expert input and guidance for the plan.**

**TDEC/RES**

**Title VI Implementation Plan Revision for July 1, 2011 – June 30, 2012**

**September 7, 2012**

**Page three**

**•• TRAC Working Groups. Four special-focus groups worked on specific issue areas and developed most of the initiatives in this plan.”**

**Another important document was developed with public input is the 2008 Tennessee Greenways and Trails Plan. It can be located at:**

**[http://www.tn.gov/environment/recreation/plan/gt\\_plan2008.pdf](http://www.tn.gov/environment/recreation/plan/gt_plan2008.pdf) .**

**The Commissioner’s Greenways and Trail’s Advisory Council is a diverse group representing areas from across Tennessee. TDEC/RES receives input on both the Recreational Trails Program application process and funding priorities from the Council.**

**TDEC/RES’ Connect with Tennessee website allows user access to information on at least 903 trails throughout Tennessee. More information about trails can be located at:**

**<http://connectwithtn.com/>**

## TENNESSEE DEPARTMENT OF ENVIRONMENT &amp; CONSERVATION ETHNIC COMPOSITION AS OF JUNE 21, 2012

<b>Group Identity Code</b>	<b>Total No. of Employees</b>	<b>Total % of Employees</b>
01 - (White)	2809	91.83%
02 - (Black)	176	5.75%
03 - (Hispanic or Latino)	5	0.16%
04 - (Asian)	34	1.11%
05 - (American Indian or Alaskan Native)	2	0.07%
06 - (Unknown)	0	0.00%
08 - (Other)	33	1.08%
<b>Totals:</b>	<b>3059</b>	<b>100.00%</b>

**TITLE VI COMPLAINTS FILED DURING THE MOST RECENT STATE FISCAL YEAR**

The Department received no Title VI complaints during fiscal year 2011-2012.

**LAWSUITS FILED ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN DURING THE MOST RECENT FISCAL YEAR**

There were no lawsuits filed alleging discrimination on the basis of race, color or national origin under any federally funded program or activity.

Per Kim Kirk, TDEC Office of General Counsel, August 29, 2012

## **5. DEFINITIONS**

## DEFINITIONS

Beneficiary - all citizens in all counties, municipalities, and communities in the state, region, county, etc.; those persons who directly or indirectly receive or benefit from services and programs provided by the department. For example, individual water sources (wells); persons in communities that receive state loans funds for wastewater treatment system construction, recreation grants, and solid waste or hazardous waste disposal assistance grants, etc. are beneficiaries.

Citizen participation - An open process in which the rights of the community to be informed, to provide comments to the Government and to receive a response from the Government are met through a full opportunity to be involved and to express needs and goals.

Compliance - The satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.

Discrimination -That act whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, sex, or national origin, has been otherwise subjected to unequal treatment under any program or activity receiving federal financial assistance.

Noncompliance -A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all of the Title VI requirements.

Persons -Where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Disparate Treatment – refers to actions that result in circumstances where similarly situated persons are treated differently, i.e., less favorably, than others because of their race, color or national origin.

Disproportionately High and Adverse Effect on Minority and Low-Income Populations - an adverse effect that:

- (1) is predominately borne by a minority population and/or a low-income population; or
- (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Environmental Justice – is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies.

Environmental Justice Activities – means an action taken by a recipient or subrecipient of federal financial assistance to identify and address adverse and disproportionate effects of its policies, programs or activities on minority and/or low-income populations, consistent with Executive Order 12898.

Federal Financial Assistance -

- (1) grants and loans of Federal funds;
- (2) the grant or donation of Federal property and interests in property;
- (3) the detail of Federal personnel;
- (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or in recognition of the public interest to the served by such sale or lease to the recipient; and

(5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

Limited English Proficient (LEP) Persons – persons for whom English is not their primary language and who have a limited ability to speak, understand, read or write English.

Low-Income- characterization of a person whose median household income is at or below the Department of Health and Human Services' poverty guidelines.

Low-Income Population - Any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who would be similarly affected by a proposed federal program, policy, or activity.

Minority means a person who is:

- 1) Black (having origins in any of the black racial groups of Africa);
- 2) Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race)
- 3) Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or
- 4) American Indian and Alaskan Native (having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition).
- 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.

National Origin – the particular nation in which a person was born or where the person's parents or ancestors were born.

Noncompliance – the condition of a recipient or subrecipient that has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity.

Recipient – any entity that receives financial assistance directly from a Federal agency.

Subrecipient – any entity that receives financial assistance as a pass-through from another entity.

## **6. DISCRIMINATORY PRACTICES**

## **DISCRIMINATORY PRACTICES**

Deny an individual any service, opportunity, or other benefit for which such individual is otherwise qualified;

Provide any individual with any service, or other benefit, which is inferior (in quantity or quality) to, or which is provided in a different manner from that which is provided to others ;

Subject any individual to segregated or disparate treatment in any manner related to such individuals' receipt of services or benefits;

Restrict an individual in any way in the enjoyment of services, facilities or any other advantage, privilege or other benefit provided to others \* **(i.e., deny Asian Americans and Hispanic Americans the right to reserve available meeting rooms at Henry Horton State Park but permitting white Americans and black Americans to reserve available meeting rooms)**;

Adopt or use methods of administration which would limit participation by any group of recipients or subject any individual to discrimination;

Address an individual in a manner that denotes inferiority because of race, color, or national origin;

Permit discriminatory activity in a facility built in whole or in part with federal funds;

Fail to advise the population eligible to be served or benefited by any federally-funded programs that such programs exist;

Deny any individual the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally-funded program;

Fail to provide service or information in a language other than English where significant numbers of potential or actual beneficiaries are of limited English speaking ability \* **(i.e., fail to provide language translation assistance to members of a profession where there is a high percentage of limited English proficiency (LEP) persons. For example, Fleming Training Center would violate to Title VI by not providing**

**language translation assistance to Vietnamese persons seeking dry cleaner operators' training and certification);**

Subject an individual to discriminatory employment practices under any federally-funded program whose object is to provide employment;

Locate a facility in any way that would limit or impede access to a federally-funded service or benefit.

## **7. LIMITED ENGLISH PROFICIENCY (LEP)**

**Tennessee Department of Environment and Conservation  
Limited English Proficiency**

The Tennessee Department of Environment and Conservation (hereinafter “TDEC”) will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in TDEC services, programs and activities. The policy of TDEC is to ensure meaningful communication with LEP persons and their authorized representatives. All interpreters, translators and other aids needed to comply with this policy shall be supplied at no cost to the person being served.

Language assistance will be provided through use of formal arrangements with an organization providing interpretation and translation services and telephonic interpretation services. All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.

TDEC will conduct a regular review of the language access needs of our service population, as well as update and monitor the implementation of this policy and these procedures, as necessary.

## PROCEDURES

### 1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE

TDEC will promptly identify the language and communication needs of the LEP person. If necessary, staff will use a language identification card (or “I speak” card) or poster to determine the language. In addition, when records are kept of past interactions with individuals or their family members, the language used to communicate with the LEP person will be included as part of the record.

### 2. OBTAINING A QUALIFIED INTERPRETER

James Adkins (SWM)	615-532-0880	Andy Binford (REM)	615-532-0911
Pat Brooks (ISD)	615-532-0261	Loretta J. Buchanan (SWM)	615-532-0804
Ella Buntin (RES)	615-532-0752	Reba Butler (SWM)	615- 532-0219
Kelley Clemons (COMM)	615-532-0111	Brenda Sue Collins (SWM)	615-741-9251
Sheila Colston (Col. EFO)	931-840-4142	Daisy Crary (SWM)	615-532-0346
Sharon Escue (Nash. EFO)	615-687-7088	Carol Farragher (HR)	615-532-0200
Debbie Fisher (JEFO)	731-512-1340	Steve Goins (REM)	615-532-8599
Dana Harris (SWM)	615-532-2756	Judy Jarrett (JCEFO)	423-854-5404
Andra Kelley (Chat. EFO)	423-634-5731	Rhonda Key (UST)	615-532-0972
Melissa Carrier (FTC)	615-898-6501	Cynthia Mabe-Johnson (KEFO)	865-594-5450
Jabari Martin (APC)	615-532-0582	Cheryl Montoya (GWP)	615-532-0762
Craig Morgan (SWM)	615-532-0866	Donovin Mulvaney (TOX. SUB.)	615-532-0819
Julius Nwaokolo (TOX. SUB.)	615-532-0871	John Owsley (DOEO)	865-481-0995
Cindy Patton (MEFO)	901-371-3001	Michelle Pruet (UST)	615-532-0973
Mary B. Crawford (F. SVCS)	615-532-0328	Sandy Rittenhouse (DWR)	615-532-0191
Kristy A. Satterfield (FR)	615-532-0851	Carolyn Sekoral (RAD. HEALTH)	615-532-0417
Craig Sergeant (OGC)	615-532-0146	Winston Shurtleff (DIA)	615-741-8007
Holly Smith (OEA)	615-532-0080	Irene Tidwell (SWM)	615-532-0780
Carol Thompson (RES)	615-532-0208	Jan Tollett (Cook. EFO)	931-432-4015
Linda T. Wynn (THC)	615-532-1550	Ron Zurawski (GEOL)	615-532-1502

are responsible for:

- (a) Obtaining an outside interpreter to provide language assistance in the language for which assistance is needed, and
- (b) Maintaining a written log to include:
  - 1.) language assistance services used
  - 2.) date of usage, and
  - 3.) language encountered as a result of on-site or telephonic encounter with LEP person.

**AVAZA Language Services Corp.** has agreed to provide qualified interpreter services. The agency's telephone numbers are **615-534-3400** and **1-800-482-8292** and interpreter services are available twenty-four hours a day, seven days a week.

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the TDEC employee. Such an offer and the response will be documented by TDEC staff. If the LEP person opts to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy and conflict of interest will be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children under the age of 18 will **not** used to interpret, in order to ensure confidentiality of information and accurate communication.

### **3. PROVIDING WRITTEN TRANSLATIONS**

(a) When translation of vital documents is needed, each division or unit in TDEC will submit documents for translation into frequently-encountered languages to identify the appropriate TDEC division/program LEP contact. Original documents being submitted for translation must be in final approved form.

(b) **TDEC** will set benchmarks for translation of vital documents into additional languages over time.

### **4. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION**

On an ongoing basis, **TDEC** will assess changes in demographics, types of services or other needs that may require reevaluation of this policy and its procedures. In addition, **TDEC** will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services.

**LIMITED ENGLISH PROFICIENCY (LEP) PROCEDURE**

1. Identify each LEP customer and record the primary language of such client.
  - a) In an on-site scenario, the language assistance contact should use “I Speak” cards at the initial contact to invite people with limited English proficiency (LEP) to identify their primary language.
  - b) In a telephonic scenario, the language assistance contact should contact AVAZA Language Services Corp. via telephone and have the interpreter identify the client’s primary language.
2. Once the client’s primary language has been determined, language assistance will be provided for the client over the telephone.

Throughout the process, TDEC staff should make every reasonable effort to ensure that no unreasonable delay in services occurs during this process.

AVAZA Language Services Corp.  
5209 Linbar Drive Suite 603  
Nashville, TN 37211

NUMBERS TO DIAL TO ACCESS AN AVAZA INTERPRETER

(615) 534-3405 – Nashville  
(901) 257-3190 – Memphis  
(865) 342-7768 – Knoxville area  
(731) 410-2911 – Jackson area  
(931) 472-0446 – Clarksville area  
(423) 424-0950 – Chattanooga area

**Limited English Proficiency (LEP) Details**

The Tennessee Department of Environment and Conservation (TDEC) provided Limited English Proficiency (LEP) services to the public two times during the fiscal year beginning July 1, 2011 and ending June 30, 2012.

As a result of on-site and telephonic encounters, the following languages were confronted by the TDEC during the most recent fiscal year: Spanish, Arabic, Hindi, Chinese, Cambodian and Indian.

## **8. COMPLAINT PROCEDURES**

## COMPLAINTS OF DISCRIMINATION

The following steps should be taken to file a Title VI complaint:

- It should be written and include your name, address and telephone number. **Your complaint must be signed and filed within 180 calendar days of the alleged discriminatory act.** If you are filing on behalf of another person, include your name, address, telephone number and your relation to that person (for example: friend, attorney, parent, etc.).
- The name and address of the agency, institution or department you believe discriminated against you.
- How, why and when you believe you were discriminated against. As much background information as possible should be included about the alleged acts of discrimination. Include names of individuals who you allege discriminated against you, if you know them, as well as any other relevant information.
- The names of any persons, if known, that the investigating agency could contact for additional information to support or clarify your allegations.
- All complaints must be signed by the complainant.
- The complaint should be sent to the TDEC Title VI Complaint Officer, Winston Shurtleff, 401 Church Street, L&C Tower, 9th Floor, Nashville, TN 37243.

Upon receipt of the complaint, the Title VI staff will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. If the complaint is filed by an internal party, TDEC does not have jurisdiction to hear such a complaint. Therefore, TDEC will forward internal complaints to the appropriate agency having jurisdiction to review the complaint. If TDEC has jurisdiction to investigate the issues raised, TDEC's Complaint Officer will investigate and adjudicate the complaint and notify parties of the final decision in writing. If the investigation indicates that a violation did not occur, the department will notify the parties of the final decision in writing.

Complainants have the option to file a complaint with the appropriate Federal agency no later than 180 calendar days after the alleged discrimination occurred.

For more information, please contact Title VI Complaint Officer **Winston Shurtleff** at (615) 741-8007.

TENNESSEE DEPARTMENT OF ENVIRONMENT  
AND CONSERVATION  
TITLE VI COMPLAINT FORM

COMPLAINANT'S  
NAME

BUSINESS PHONE

HOME PHONE

STREET ADDRESS

CITY

STATE

ZIP CODE

E-MAIL ADDRESS

ARE YOU FILING THIS COMPLAINT FOR SOMEONE ELSE?

YES

NO

IF YES, AGAINST WHOM DO YOU BELIEVE THE DISCRIMINATION WAS DIRECTED?

FIRST NAME

LAST NAME

WHICH OF THE FOLLOWING BEST DESCRIBES THE REASON YOU BELIEVE THE  
DISCRIMINATION TOOK PLACE? WAS IT BECAUSE OF YOUR:

A. RACE/COLOR (SPECIFY)

B. NATIONAL ORIGIN (SPECIFY)

WHO DO YOU THINK DISCRIMINATED AGAINST YOU (OR SOMEONE ELSE)?

PERSON/AGENCY/ORGANIZATION

STREET ADDRESS

CITY

STATE

ZIP CODE

PHONE

WHEN DO YOU BELIEVE THAT THE DISCRIMINATION TOOK PLACE?

LIST DATE

DESCRIBE BRIEFLY WHAT HAPPENED. HOW AND WHY DO YOU BELIEVE YOU (OR SOMEONE ELSE)  
WERE DISCRIMINATED AGAINST? PLEASE BE AS SPECIFIC AS POSSIBLE. (ATTACH ADDITIONAL  
PAGES AS NEEDED)

HAVE YOU FILED THIS COMPLAINT WITH ANY OTHER FEDERAL, STATE, OR LOCAL AGENCY: OR WITH ANY FEDERAL OR STATE COURT? YES ( ) NO ( )

IF YES, CHECK ALL THAT APPLY:

- FEDERAL AGENCY
- FEDERAL COURT
- STATE AGENCY
- STATE COURT
- LOCAL AGENCY

HAVE YOU HIRED AN ATTORNEY? YES ( ) NO ( )

PLEASE PROVIDE INFORMATION ABOUT A CONTACT PERSON AT THE AGENCY /COURT WHERE THE COMPLAINT WAS FILED.

NAME

ADDRESS PHONE

CITY STATE ZIP CODE

DO YOU INTEND TO FILE THIS COMPLAINT WITH ANOTHER AGENCY? YES ( ) NO ( ) IF YES,

WHEN AND WHERE DO YOU PLAN TO FILE THE COMPLAINT?

AGENCY DATE

ADDRESS PHONE ( )

CITY STATE ZIP CODE

HAS THIS COMPLAINT BEEN FILED WITH THIS AGENCY BEFORE? YES

IF YES, WHEN? DATE

HAVE YOU FILED ANY OTHER COMPLAINTS WITH THIS AGENCY? YES ( ) NO ( )

IF YES, WHEN AND AGAINST WHOM DID YOU FILE?

NAME DATE

ADDRESS PHONE

CITY STATE ZIP CODE

## **9. COMPLIANCE REVIEWS**

The department's 290 subrecipients for FY 2012 are listed in the accompanying Excel document. It should be noted that the department's subrecipients generally do not provide direct services to beneficiaries in programs funded by the department. The department's grants are primarily to fund improvements to local recreation parks, assist local governments with solid waste issues, and to assist nonprofit organizations in maintaining historic sites.

Vendor Name	Begin Dt	Expire Dt	Max. Amt
2120 Restoration LLC	6/30/2011	3/1/2014	760,000.00
Airplane Filling Station	7/12/2010	9/30/2011	24,000.00
Airplane Filling Station	11/15/2011	9/30/2012	24,000.00
Alex Haley Museum	7/1/2011	6/30/2012	54,038.45
American Trails	10/15/2010	10/14/2011	25,000.00
Anderson County Government	1/15/2012	1/14/2017	9,700.00
Anderson County Trustee	1/1/2011	12/31/2013	305,100.00
Appalachian Mountain Bike Club	5/1/2011	4/30/2014	55,930.00
Appalachian Trail Conservancy	4/1/2009	3/31/2012	53,722.28
Association For The Prese	8/23/2010	9/30/2011	20,000.00
Austin Peay State University	2/15/2011	12/31/2011	10,000.00
Austin Peay State University	5/1/2011	6/30/2012	8,215.00
Austin Peay State University	12/1/2011	6/30/2013	78,828.00
Beech Grove Confederate Cemetery	7/1/2011	6/30/2012	882.10
Bledsoe County	12/1/2010	9/30/2011	17,000.00
Bledsoes Lick Historical A	7/1/2011	6/30/2012	47,263.37
Bradley County Government	5/1/2011	4/30/2015	400,000.00
Campbell County Government	9/1/2011	8/31/2012	300,000.00
Campbell County Government	2/15/2012	9/30/2012	171,000.00
Carroll County Historical Society	7/1/2011	6/30/2012	3,334.48
Carter County Government	1/15/2012	1/14/2017	27,500.00
Chester County	1/15/2012	1/14/2017	11,650.00
Chester County	2/1/2012	1/31/2017	184,500.00
City Of Athens	11/15/2008	11/14/2011	70,000.00
City Of Athens	4/1/2011	3/31/2015	150,000.00
City Of Chattanooga	11/15/2008	11/14/2011	225,000.00
City Of Clarksville	11/15/2010	11/14/2013	43,040.00
City Of Clarksville	9/15/2011	9/14/2015	145,000.00
City Of Cleveland Tennessee	2/1/2009	1/31/2012	40,000.00

City Of Cleveland Tennessee	4/1/2011	3/31/2015	110,000.00
City Of Clifton	7/1/2010	6/30/2013	50,000.00
City Of Clinton	11/15/2008	11/14/2011	100,000.00
City Of Coalmont	9/1/2009	8/31/2012	97,000.00
City Of Collegedale	6/1/2011	5/31/2015	48,000.00
City Of Cookeville	11/15/2008	11/14/2011	238,000.00
City Of Crump	1/1/2011	12/13/2013	80,000.00
City Of Ducktown	4/1/2011	3/31/2014	65,000.00
City Of Dyersburg	4/1/2011	3/31/2015	100,000.00
City Of Etowah	7/1/2009	6/30/2012	50,000.00
City Of Fairview	5/1/2011	4/30/2015	72,500.00
City Of Fairview	12/1/2011	11/30/2013	10,600.00
City Of Franklin	5/1/2011	4/30/2015	65,000.00
City Of Franklin	5/15/2011	9/30/2011	25,000.00
City Of Franklin	11/1/2011	9/30/2012	3,000.00
City Of Franklin	5/15/2012	9/30/2012	20,000.00
City Of Gallatin	12/20/2011	7/31/2012	100,000.00
City Of Gatlinburg	2/15/2009	2/14/2012	20,000.00
City Of Gatlinburg	4/1/2011	3/31/2015	25,000.00
City Of Germantown	5/1/2011	4/30/2015	150,000.00
City Of Graysville	12/1/2008	11/30/2011	13,000.00
City Of Harriman	7/26/2010	9/30/2011	30,000.00
City Of Henderson Tennesse	4/1/2011	3/31/2015	100,000.00
City Of Hornbeak	11/15/2010	11/14/2013	40,000.00
City Of Hornbeak	4/1/2011	3/31/2015	17,000.00
City Of Jackson	6/1/2011	5/30/2014	80,000.00
City Of Kingsport	1/15/2009	1/14/2012	300,000.00
City Of Kingsport	4/1/2009	3/31/2012	70,000.00
City Of Kingsport	4/1/2011	3/31/2014	80,000.00
City Of Kingsport	4/1/2011	3/31/2015	131,000.00
City Of Kingston	10/1/2011	9/30/2015	68,000.00

City Of Lafollette	4/1/2011	3/31/2015	12,000.00
City Of Lafollette	5/1/2011	4/30/2016	22,738.00
City Of Lake City	5/1/2011	4/30/2015	28,000.00
City Of Lakeland	4/1/2011	3/31/2015	94,000.00
City Of Lebanon	8/1/2011	7/31/2014	80,000.00
City Of Lewisburg	10/1/2011	4/1/2012	43,000.00
City Of Luttrell	12/15/2008	12/14/2011	61,000.00
City Of Manchester	1/1/2011	12/31/2013	104,000.00
City Of Manchester	4/1/2011	3/31/2015	135,000.00
City Of Martin	4/1/2011	3/31/2015	100,000.00
City Of Mckenzie	11/15/2008	11/14/2011	66,000.00
City Of Mckenzie	9/1/2011	8/31/2014	38,500.00
City Of Mckenzie	11/1/2011	9/30/2012	9,000.00
City of Medina	1/1/2009	12/31/2011	60,000.00
City of Medina	8/1/2011	7/31/2014	80,000.00
City Of Memphis	5/3/2010	9/30/2011	16,800.00
City Of Memphis	6/1/2010	9/11/2011	3,600.00
City Of Milan	11/15/2008	11/14/2011	98,250.00
City Of Millersville	4/1/2011	3/31/2015	60,000.00
City Of Millersville	7/1/2011	6/30/2014	50,000.00
City Of Mount Juliet	7/1/2011	6/30/2015	25,000.00
City Of Mount Pleasant	2/1/2009	1/31/2012	27,500.00
City Of Murfreesboro	11/15/2010	11/14/2013	80,000.00
City Of Murfreesboro	4/1/2011	3/31/2015	150,000.00
City of Newport	4/1/2011	3/31/2015	73,000.00
City Of Niota	3/15/2012	9/30/2012	12,000.00
City Of Norris	6/1/2011	5/31/2015	18,500.00
City Of Paris	5/1/2011	4/30/2014	30,000.00
City Of Paris	5/1/2011	4/30/2015	44,000.00
City Of Parkers Crossroa	3/20/2012	12/1/2012	3,125.00
City Of Portland	5/1/2011	4/30/2015	45,000.00

City Of Pulaski	7/1/2011	6/30/2015	154,000.00
City Of Ridgetop	9/15/2011	9/14/2014	80,000.00
City Of Selmer	4/1/2011	3/31/2015	26,000.00
City Of Sevierville	4/1/2011	3/31/2015	70,000.00
City Of Shelbyville	6/1/2010	9/30/2011	1,900.00
City Of Shelbyville	6/1/2010	9/30/2011	3,600.00
City Of Shelbyville	5/1/2011	4/30/2015	10,000.00
City Of Spring Hill	9/15/2011	9/14/2015	100,000.00
City Of Sunbright	4/1/2011	3/31/2015	60,000.00
City Of Sweetwater	12/1/2008	11/30/2011	125,000.00
City Of Trenton	4/1/2011	3/31/2015	26,000.00
City Of Tullahoma	2/12/2010	2/11/2015	15,246.00
City Of Tullahoma	7/15/2011	7/14/2015	40,000.00
City Of White Pine	11/15/2008	11/14/2011	60,000.00
City Of Winchester	8/1/2011	7/31/2014	80,000.00
Civil War Preservation Tr	2/1/2012	6/30/2012	15,000.00
Claiborne County Government	1/15/2012	1/14/2017	11,300.00
Claiborne County Historic	11/1/2011	9/30/2012	10,000.00
Clay County	5/1/2011	4/30/2016	22,140.00
Columbia Academy	7/19/2010	9/30/2011	25,000.00
County of Hardin	2/1/2012	1/31/2017	80,000.00
County Of Marshall	4/1/2011	3/31/2015	11,000.00
Daughters of American Revolution	7/1/2011	6/30/2012	8,439.79
Delegated Contracts	7/1/2011	6/30/2012	6,000,000.00
Delegated Contracts	1/1/2012	6/30/2012	750,000.00
Ducktown Basin Museum Inc	7/1/2011	6/30/2012	35,000.00
Dyer County Trustee	5/1/2011	4/30/2014	80,000.00
East Hill Cemetery Association	7/1/2011	6/30/2012	807.69
East Tennessee Developmen	4/1/2011	3/31/2012	119,600.00
East Tennessee Developmen	7/1/2011	6/30/2012	32,000.00
East Tennessee Developmen	3/1/2012	2/28/2013	86,800.00

East Tennessee Historical Society Inc	7/1/2011	6/30/2012	14,415.18
East Tennessee State Univ	6/15/2010	9/30/2011	9,500.00
East Tennessee State Univ	10/1/2011	9/30/2012	9,257.00
Fentress County	5/1/2011	4/30/2016	19,180.00
Fifteenth Avenue Baptist	6/30/2011	3/31/2014	137,940.00
First Tennessee Develop	7/1/2011	6/30/2012	25,000.00
Franklin County Trustee	5/1/2011	9/30/2011	40,000.00
Friends Of Beaman Park	3/15/2009	3/14/2012	85,000.00
Friends Of Rock Castle	9/1/2011	6/30/2012	40,593.64
Friends of the Cumberland Trail	11/1/2010	9/30/2011	24,000.00
Friends Of Warriors Path State Park	12/11/2007	12/10/2011	414,951.00
Giles County Historical Society	7/1/2011	6/30/2012	2,000.00
Goodwill Industries - Knoxville Inc	5/1/2011	4/30/2016	21,177.00
Goodwill Industries - Knoxville Inc	5/1/2011	4/30/2016	25,000.00
Goodwill Industries - Knoxville Inc	5/1/2011	4/30/2016	24,112.00
Gov Frank G Clement Railroad Hotel & His	9/1/2011	6/30/2012	24,000.00
Governor John Sevier Memorial Assoc	7/1/2011	6/30/2012	47,761.70
Governor Wm.Blount Mansion Associatio	7/1/2011	6/30/2012	5,420.57
Greater Nashville Regiona	10/1/2010	9/30/2011	45,515.00
Greater Nashville Regiona	7/1/2011	6/30/2012	25,000.00
Hamblen County Govt	12/1/2008	11/30/2011	87,500.00
Hamilton County Governmen	2/1/2009	1/31/2012	250,000.00
Hamilton County Governmen	2/1/2009	1/31/2012	76,000.00
Hamilton County Governmen	5/1/2011	4/30/2015	120,000.00
Hancock Cnty Historical & Genealogical	11/1/2011	9/30/2012	11,000.00
Hardeman County Landfill	5/1/2011	4/30/2016	25,000.00
Haywood County	11/15/2008	11/14/2011	192,898.00
Haywood County	4/1/2011	3/31/2015	22,000.00
Haywood County	8/1/2011	7/31/2014	80,000.00
Haywood County	9/15/2011	4/30/2016	15,328.00
Henderson County	5/1/2011	4/30/2015	6,000.00

Henderson County	1/15/2012	1/14/2017	14,000.00
Heritage Alliance of NETN & SWVA	12/1/2011	6/30/2012	29,000.00
Hickman County Government	1/15/2008	1/14/2012	159,539.00
Historic Cragfont Inc	7/1/2011	6/30/2012	35,909.69
Historic Rugby Inc	5/1/2009	4/30/2012	32,320.00
Historic Rugby Inc	11/1/2011	9/30/2012	20,000.00
Inglewood Neighborhood Association Inc	11/1/2011	9/30/2012	9,000.00
Jackson County	1/15/2012	1/14/2017	5,000.00
James K Polk Memorial Ass	7/1/2011	6/30/2012	39,304.17
Jefferson County Trustee	1/15/2012	1/14/2017	7,500.00
Jellico Electric System	9/1/2009	8/31/2012	36,050.00
Jellico Electric System	9/1/2011	8/31/2012	300,000.00
Johnson County	12/15/2007	12/14/2012	48,250.84
Johnson County	1/10/2008	1/9/2013	351,822.36
Kenneth Bakari	6/22/2011	3/1/2014	43,850.00
Knox County Government	11/1/2011	10/31/2014	80,000.00
Knox County Government	11/1/2011	10/31/2014	80,000.00
Knox County Government	3/15/2012	3/14/2017	22,600.00
Ladies Hermitage Association	9/30/2011	9/30/2012	15,000.00
Legacy Parks Foundation	5/1/2011	4/30/2014	55,930.00
Lewis County Government	7/1/2008	6/30/2012	22,000.00
Marion County	1/15/2012	1/14/2017	14,500.00
Maryville-Alcoa-Blount County Parks	1/1/2009	12/31/2011	20,000.00
Maury County Government	4/1/2011	3/31/2015	100,000.00
McGavock Confederate Cemetery	7/1/2011	6/30/2012	923.92
McNairy County	2/1/2012	1/31/2017	18,000.00
Metropolitan Government O	3/15/2009	3/14/2012	48,500.00
Metropolitan Government O	6/1/2009	5/31/2012	300,000.00
Metropolitan Government O	7/1/2011	6/30/2014	72,547.00
Middle Tennessee State Un	10/1/2010	9/30/2011	20,000.00
Middle Tennessee State Un	10/1/2011	9/30/2012	20,000.00

Middle Tennessee State Un	10/1/2011	9/30/2012	12,675.00
Middle Tennessee State Un	2/1/2012	9/30/2012	15,000.00
Missouri Botanical Garden	4/1/2011	12/30/2011	5,000.00
Missouri Botanical Garden	3/28/2012	12/31/2012	5,000.00
Monroe County Government	8/1/2010	9/30/2011	17,000.00
Montgomery County Government	7/1/2008	6/30/2012	379,716.00
Montgomery County Government	2/1/2009	1/31/2012	36,000.00
Montgomery County Government	1/15/2012	1/14/2013	5,000.00
Oak Ridge Reservation Local Oversight	7/1/2011	6/30/2012	172,360.00
Obed Watershed Community	11/1/2010	10/31/2012	253,325.00
Perry County Government	11/15/2008	11/14/2011	20,543.50
Pleasant Forest Cemetary	9/1/2011	6/30/2012	1,153.33
Putnam County	4/1/2011	3/31/2014	87,000.00
Rebuilding Together Nashville	3/1/2012	6/30/2013	475,000.00
Roane County	1/15/2012	1/14/2017	24,600.00
Rocky Mount Historical Association	7/1/2011	6/30/2012	73,025.06
Sam Davis Memorial Assoc	7/1/2011	6/30/2012	15,214.04
Sam Houston Memorial Assn	7/1/2011	6/30/2012	30,775.08
Sgt. York Patriotic Foundation	5/15/2011	9/30/2011	46,000.00
Smith County Government	1/15/2012	1/14/2017	11,100.00
South Central Tn Developm	7/1/2011	6/30/2012	50,000.00
South Central Tn Developm	7/1/2011	6/30/2013	88,200.00
Southeast Recycling Development	2/1/2012	12/31/2013	160,000.00
Southeast Tennessee Devel	4/29/2010		50,000.00
Southeast Tennessee Devel	5/15/2010	12/31/2011	80,000.00
Southeast Tennessee Devel	7/1/2011	6/30/2012	52,000.00
Southeast Tennessee Devel	7/1/2011	6/30/2013	91,722.00
Southeast Watershed Forum	6/1/2012	5/31/2014	5,000.00
Southern TN Area Arts Repertory	11/1/2011	9/30/2012	6,000.00
Southwest Tennessee Development Dist	8/16/2010	6/30/2012	56,090.00
Southwest Tennessee Development Dist	7/1/2011	6/30/2012	50,000.00

State Of Tennessee	7/1/2009	6/30/2013	0.01
State Of Tennessee	2/15/2010	2/14/2012	146,585.63
State Of Tennessee	7/1/2011	6/30/2012	49,000.00
State Of Tennessee	7/1/2011	6/30/2012	0.01
State Of Tennessee	10/1/2011	9/30/2012	36,788.00
State Of Tennessee	10/1/2011	9/30/2012	7,000.00
State Of Tennessee	11/30/2011	9/30/2012	30,000.00
Tennessee Board Of Regent	12/1/2011	4/15/2014	83,167.00
Tennessee Civil War Pres	7/1/2011	6/30/2012	25,000.00
Tennessee Historical Soc	7/1/2011	6/30/2012	57,663.89
Tennessee History For Kids	7/1/2010	9/30/2011	5,000.00
Tennessee History For Kids	8/9/2010		5,000.00
Tennessee History For Kids	4/15/2012	9/30/2013	8,000.00
Tennessee Library Association	7/1/2011	6/30/2012	150.00
Tennessee Preservation Tr	2/1/2011	9/30/2011	15,000.00
Tennessee Preservation Tr	2/15/2012	9/30/2012	20,000.00
Tennessee Storm Water Association	6/1/2011	5/31/2016	150,000.00
Tennessee Storm Water Association	2/1/2012	1/31/2017	200,000.00
Tennessee Technological U	11/15/2011	9/30/2012	15,000.00
Tennessee Trails Assoc	8/20/2009	8/19/2012	68,500.00
Tennessee Trails Assoc	11/15/2010	11/14/2013	67,400.00
The Battle of Franklin Trust	7/1/2011	6/30/2012	35,179.76
The Jackson Foundation	9/1/2011	6/30/2012	14,500.00
Tipton-Haynes Historical Assn	7/1/2011	6/30/2012	52,072.73
Town Of Atoka	12/15/2008	12/14/2011	382,500.00
Town Of Atoka	7/1/2011	6/30/2014	50,000.00
Town Of Centerville	4/1/2011	3/31/2015	10,000.00
Town Of Dandridge	11/15/2008	11/14/2011	149,000.00
Town Of Farragut	11/15/2008	11/14/2011	171,000.00
Town Of Huntingdon Tennes	7/1/2011	6/30/2015	190,000.00
Town Of Jonesborough	8/1/2011	7/31/2015	145,000.00

# ATTACHMENT E

Town Of Jonesborough	10/1/2011	9/30/2012	5,050.00
Town Of Lookout Mountain	11/15/2008	11/14/2011	34,544.05
Town of Monteagle	10/1/2011	9/30/2015	20,000.00
Town Of Obion	4/1/2011	3/31/2015	17,000.00
Town Of Pittman Center	4/1/2011	3/31/2015	25,000.00
Town Of Rutherford	4/1/2011	3/31/2015	14,000.00
Town Of Sardis	4/1/2011	3/31/2015	20,000.00
Town Of Signal Mountain	4/1/2011	3/31/2015	82,500.00
Town Of Unicoi	7/1/2011	6/30/2014	50,000.00
Town of Wartrace	2/1/2009	1/31/2012	10,000.00
Trustee McMinn County	11/15/2010	11/14/2013	80,000.00
Trustee McMinn County	8/1/2011	7/31/2014	240,000.00
TSLA Friends	11/1/2011	6/30/2012	3,500.00
Tullahoma Confederate Association	7/1/2011	6/30/2012	970.73
Union County Solid Waste	1/15/2012	1/14/2017	5,700.00
University Of Tennessee	6/15/2010	9/30/2011	19,000.00
University Of Tennessee	6/21/2010		76,620.30
University Of Tennessee	7/1/2010	8/31/2011	152,579.63
University Of Tennessee	7/1/2010	8/31/2011	152,579.63
University Of Tennessee	5/1/2011	4/30/2013	150,000.00
University Of Tennessee	7/1/2011	6/30/2012	348,500.00
University Of Tennessee	7/1/2011	10/31/2012	45,000.00
University Of Tennessee	7/1/2011	6/30/2013	40,504.00
University Of Tennessee	7/1/2011	6/30/2013	40,504.00
University Of Tennessee	9/1/2011	6/30/2012	3,190.00
University Of Tennessee	10/1/2011	9/30/2012	17,984.00
University Of Tennessee	11/1/2011	8/31/2012	128,700.00
University Of Tennessee	11/1/2011	9/30/2012	33,364.00
University Of Tennessee	12/15/2011	5/31/2014	173,695.00
Upper Cumberland Development District	3/15/2010	7/31/2011	40,000.00
Upper Cumberland Development District	8/16/2010	6/30/2012	84,888.00

## ATTACHMENT E

Upper Cumberland Development District	7/1/2011	6/30/2012	50,000.00
US Department of Agriculture	2/15/2011	2/14/2014	80,000.00
Washington County Trustee	1/15/2012	1/14/2017	12,400.00
Weakley County	1/15/2012	1/14/2017	7,000.00
Weakley County Government	1/15/2012	1/14/2017	7,000.00
West Tennessee Historical Society	7/1/2011	6/30/2012	14,415.18
Westover Center For The A	10/4/2010	9/30/2011	17,000.00
White County Government	11/15/2010	11/14/2013	26,000.00
White County Landfill	5/1/2011	4/30/2016	25,000.00
Williamson County	4/1/2011	3/31/2015	42,500.00
Williamson County	6/1/2011	5/31/2014	76,700.00

**A. PRE-AWARD PROCEDURES – ASSURANCES & DATA COLLECTION**

**STATEMENT THAT THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION SHALL MAKE AVAILABLE ANY COMPLIANCE REPORT TO BE REVIEWED BY THRC UPON REQUEST**

Every contract includes the following provision:

*Records. The Contractor shall maintain documentation for all charges under this Contract. The books, records, and documents of the Contractor, insofar as they relate to work performed or money received under this Contract, shall be maintained for a period of three (3) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon reasonable notice by the State, the Comptroller of the Treasury, or their duly appointed representatives. The financial statements shall be prepared in accordance with generally accepted accounting principles.*

The department and its subrecipients shall make available any compliance report to be reviewed by THRC upon request.

Subrecipients and contractors are not required to sign a statement of assurances at the pre-award stage.

The following is included in all subrecipient grant contracts:

**Nondiscrimination**. The Grantee hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Grant Contract or in the employment practices of the Grantee on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Grantee shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

Fiscal Services does not conduct self-surveys or monitoring at the pre-award stage.

Fiscal Services does not conduct on-site reviews at the pre-award stage. There were two post-award on-site reviews of subrecipients conducted by The Division of Internal Audit.

The department does not have any Title VI training standards at the pre-award stage.

The following is included as an evaluation factor in all requests for proposals for vendor contracts:

Provide documentation of the Proposer's commitment to diversity as represented by its business strategy, business relationships, and workforce— this documentation should detail all of the following:

- (a) a description of the Proposer's existing programs and procedures designed to encourage and foster commerce with business enterprises owned by minorities, women, persons with a handicap or disability and small business enterprises;
- (b) a listing of the Proposer's current contracts with business enterprises owned by minorities, women, persons with a handicap or disability and small business enterprises, including the following information:
  - (i) contract description and total value
  - (ii) contractor name and ownership characteristics (*i.e.*, ethnicity, sex, disability)
  - (iii) contractor contact and telephone number;
- (c) an estimate of the level of participation by business enterprises owned by minorities, women, persons with a handicap or disability and small business enterprises in a contract awarded to the Proposer pursuant to this RFP, including the following information:
  - (i) participation estimate (expressed as a percent of the total contract value that will be dedicated to business with subcontractors and supply contractors having such ownership characteristics — **PERCENTAGES ONLY — DO NOT INCLUDE DOLLAR AMOUNTS**)
  - (ii) descriptions of anticipated contracts
  - (iii) names and ownership characteristics (*i.e.*, ethnicity, sex, disability) of anticipated subcontractors and supply contractors anticipated; and
  - (d) the percent of the Proposer's total current employees by ethnicity, sex, and handicap or disability.

NOTE: Proposers that demonstrate a commitment to diversity will advance State efforts to expand opportunity to do business with the State as contractors and sub-contractors. Proposal evaluations will recognize the positive qualifications and experience of a Proposer that does business with enterprises owned by minorities, women, persons with a handicap or disability and small business enterprises and that offers a diverse workforce to meet service needs.

**B. POST-AWARD PROCEDURES**

The Division of Internal Audit (DIA) has been assigned the responsibility of monitoring subrecipient contracts. Each year the DIA submits a monitoring plan, containing the total subrecipient population and the sample to be monitored, to the Department of Finance & Administration. One of the monitoring steps followed by the DIA is to review the subrecipient's self-survey to determine compliance with Title VI. For the fiscal year ended June 30, 2012 the DIA monitored 31 subrecipient contracts/self surveys. Of the 31 subrecipients monitored by the DIA for the fiscal year ending June 30, 2012, two were on-site reviews.<sup>1</sup>

For each of the 31 subrecipients monitored for the fiscal year ending June 30, 2012, the DIA verified that the subrecipient is providing Title VI training to its employees. There was a finding on one of the subrecipients (Bledsoe's Lick Historical Assn.; Audit No. 12-P17) where the grantee had not developed policies & procedures to address citizen's rights as provided in Title VI of the Civil Rights Act of 1964. The grantee took corrective action to correct this deficiency.

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<sup>1</sup> Each division that has subrecipient contracts also conducts on-site reviews throughout the year.

Tennessee Department of Environment & Conservation  
TITLE VI Self-Survey

- 1. Date Self Survey Prepared: \_\_\_\_\_
- 2. Name of Respondent (City, County or Agency) \_\_\_\_\_
- 3. Street Address \_\_\_\_\_  
 City \_\_\_\_\_ County \_\_\_\_\_  
 State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax No. \_\_\_\_\_ Email \_\_\_\_\_
- 4. Name and Title of Administrative Head  
 \_\_\_\_\_  
 (NAME) (TITLE)
- 5. Name and Title of Local Title VI Coordinator  
 \_\_\_\_\_  
 (NAME) (TITLE)
- 6. List appointed Advisory Committee, may be an existing committee or board (i.e., Planning Commission or Zoning Board, etc). You only need one Title VI Committee (5-7 people).  
 \_\_\_\_\_  
 A. Are the members... Elected \_\_\_\_\_ Appointed \_\_\_\_\_  
 B. What is the racial composition of the group?  
 White \_\_\_\_\_ Non-White \_\_\_\_\_ Total \_\_\_\_\_  
 C. What are the terms of service? \_\_\_\_\_ (years or months)  
 D. If minorities represent 5% (or more) of the population in the geographic service area but not serving on any advisory groups, what steps will be taken to obtain minority representation? \_\_\_\_\_  
 \_\_\_\_\_
- 7. Do you have a written non-discrimination policy stating that services will be provided to all persons without regard to race, color or national origin?  
 YES \_\_\_\_\_ NO \_\_\_\_\_

8. Are Title VI information posters, including the name of the local coordinator prominently and publicly displayed?  
YES \_\_\_\_\_ NO \_\_\_\_\_
9. Are permanent records kept on all Title VI complaints?  
YES \_\_\_\_\_ NO \_\_\_\_\_
10. If applicable, describe any complaints received this year. List name, race charge and findings. \_\_\_\_\_  
\_\_\_\_\_
11. Is Title VI information disseminated to your employees, clients, and constituents?  
YES \_\_\_\_\_ NO \_\_\_\_\_
12. Describe the way in which they are informed. \_\_\_\_\_  
\_\_\_\_\_
13. Are you confident that applicants and clients are aware of their rights under Title VI of the Civil Rights Law, including the right to file a complaint?  
YES \_\_\_\_\_ NO \_\_\_\_\_
14. Are new employees clearly informed about their specific responsibilities to clients under Title VI?  
YES \_\_\_\_\_ NO \_\_\_\_\_
15. Are staff members periodically reminded of information detailing their Title VI responsibilities?  
YES \_\_\_\_\_ NO \_\_\_\_\_
16. If yes, please state the way in which this is done. \_\_\_\_\_  
\_\_\_\_\_
17. Do all contracts that provide direct services contain a Title VI Statement of Compliance?  
YES \_\_\_\_\_ NO \_\_\_\_\_ (Please attach copy)
18. Are each of your sub-contracts or vendors clearly aware of your commitment to Title VI?  
YES \_\_\_\_\_ NO \_\_\_\_\_
19. Does a written policy exist which states that courtesy titles (i.e., Mr., Mrs., Ms., or Miss) will be used by staff to address clients without regard to race, color, or national origin?  
YES \_\_\_\_\_ NO \_\_\_\_\_
20. Are all physical areas (i.e., rest rooms, dining rooms, waiting rooms, etc.) provided without regard to race, color or national origin/  
YES \_\_\_\_\_ NO \_\_\_\_\_

Do you have any problems, questions or suggestions concerning this survey form?

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**DECLARATION OF RESPONDENT:** I declare that I have completed this survey to the best of my knowledge and believe it to be true and correct.

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SIGNATURE OF TITLE VI COORDINATOR

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DATE

**DECLARATION OF ADMINISTRATIVE HEAD:** I declare that I have reviewed and approved the information provided in this survey and to the best of my knowledge and believe it is true, correct and complete.

---

SIGNATURE OF ADMINISTRATIVE HEAD

---

DATE

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
SUBRECIPIENT MONITORING REVIEW  
TITLE VI QUESTIONNAIRE**

1. Please identify the agency's EEO/Title VI coordinator?
  
2. Is the contract agency in compliance with the following Civil Rights statutes (*Titles VI, VII and IX of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act and the Age Discrimination Act of 1975*)?
  
3. Are the above statutes incorporated in the agency's established policies and procedures? Please attach copies of the procedures.
  
4. Does the contract agency train staff in the above non-discriminatory policies? How and when is training provided?
  
5. Does the agency have a process to investigate discrimination complaints? Who in the organization is responsible to oversee this process?
  
6. Has the contract agency received any discrimination complaints within the last or current contract year?
  
7. What assurances of compliance have been signed by the agency? When and by whom were they signed? Please attach copies.

8. What non-discrimination postings does the agency have and where are they posted?
  
9. Has the agency completed the Title VI Self-Survey? Please attach a copy.
  
10. How does the agency advertise its non-discriminatory status (e.g. publications, job advertisements etc...)?

Agency Name \_\_\_\_\_

Employee's Name Completing Questionnaire \_\_\_\_\_

Employee's Signature \_\_\_\_\_

Employee's Title \_\_\_\_\_

Date \_\_\_\_\_

**C. MINORITY REPRESENTATION**

The following program provides direct services to third-party beneficiaries:

**LEAD BASED PAINT HAZARD REDUCTION PROGRAM**

<b>Subrecipient Name</b>	<b>(i) Total \$ Amount</b>	<b>(ii) Number MBE</b>	<b>(ii) % MBE</b>	<b>(iii) \$ Amount African-American</b>	<b>(iii) % African-American</b>
2120 Restoration, LLC	\$760,000.00				
Fifteenth Avenue Baptist Church	137,940.00	1	25%	\$137,940.00	12%
Tennessee Board of Regents	83,167.00				
University of Tennessee	173,695.00				
<b>TOTAL</b>	<b>\$1,154,802.00</b>	<b>1</b>	<b>25%</b>	<b>\$137,940.00</b>	<b>12%</b>

**D. PUBLIC NOTICE AND OUTREACH**

The Division of Internal Audit (DIA) has been assigned the responsibility of monitoring subrecipient contracts. Each year the DIA submits a monitoring plan, containing the total subrecipient population and the sample to be monitored, to the Department of Finance & Administration. One of the monitoring steps followed by the DIA is to review the subrecipient's self-survey to determine compliance with Title VI. Through this process, TDEC subrecipients are monitored concerning the dissemination of information about the subrecipient's nondiscrimination policy, programs and services, complaint procedures and minority participation on planning boards and advisory bodies.

**E. PROCEDURES FOR NONCOMPLIANCE**

The Division of Internal Audit (DIA) completes a report for each monitoring review. If the subrecipient is not in compliance with Title VI, it will be noted in the report and corrective action is required. The DIA report is distributed to the Commissioner, Assistant Commissioners, Senior Directors and the Division Director. The Division Director is responsible for making sure corrective action is taken by the subrecipient.

## **10. COMPLIANCE/NONCOMPLIANCE REPORTING**

The Tennessee Department of Environment and Conservation provides Title VI compliance information to the U.S. Environmental Protection Agency (EPA).

The Tennessee Department of Environment and Conservation is responsible for all federal reporting requirements mandated by 40 C.F.R. Parts 5 and 7.

## **11. TITLE VI TRAINING**

The purpose of the Tennessee Department of Environment and Conservation (TDEC) Title VI training is to assist personnel, subrecipients, and contractors to comply with and carry out departmental policies and federal regulations, pertaining to Title VI of the Civil Rights Act of 1964 in their day-to-day activities.

As of June 21, 2012, TDEC employed 3059 employees. During the fiscal year ending June 30, 2011, thirty-four employees (1.1 percent) received Title VI training. Verification of such training is provided through the use of sign-in logs.

Subrecipients are welcomed to participate in TDEC Title VI training. However, subrecipients generally opt to conduct their own in-house Title VI training. Verification of such training is provided through the Division of Internal Audit's (DIA) review of the subrecipient's Title VI self-survey.

Title VI training was offered on the following dates during the fiscal year ending June 30, 2012: April 24, May 7, June 5, and June 29. **(An Title VI training agenda is attached for your reference.)**

Proposed dates for future TDEC Title VI training during the fiscal year beginning July 1, 2012 and ending June 30, 2013 are as follows: October 24, 2012, November 13, 2012, December 12, January 15, February 12, March 19, April 11, May 14, and June 13.

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
TITLE VI TRAINING**

- A. Title VI of the Civil Rights Act of 1964 - Overview
  - 1. Protected classes – race, class and national origin
  - 2. Definition of key Title VI terms (federal financial assistance, recipient, subrecipient, beneficiary, disparate impact, disparate treatment)
  
- B. What is discrimination under Title VI?
  - 1. Denial of benefits or services
  - 2. Providing different services or services in a different manner than they are provided to others
  - 3. Segregating individuals in any manner related to receipt of benefits or services
  - 4. Retaliation
  - 5. Limited English Proficiency (LEP) discrimination
  
- C. Policy and Procedure
  - 1. Statement of non-discrimination
  - 2. Complaint procedure
  - 3. Limited English Proficiency (LEP) procedure
  
- D. Public Notice and Outreach
  - 1. Public notice of programs and activities
  - 2. Public notice of right to file a complaint
  - 3. Public notice about participation on boards and commissions
  
- E. Reporting Obligations
  - 1. Federal funding sources
  - 2. Assurances signed by the Department

3. Importance of data collection and analysis
4. Submission of Title VI Implementation Plan to state and/or federal agencies

F. Subrecipient matters

1. Compliance review
2. Statement of assurances signed by subrecipients
3. Subrecipient noncompliance
4. Training requirement for subrecipients

G. Obligations to report

1. Racial/ethnic data as evidence of beneficiary participation in federally funded activities and programs
2. Filing of Title VI Implementation Plan and, where applicable, other Title VI plans

H. Public notification and outreach

## **12. PUBLIC NOTICE AND OUTREACH**

A copy of the TDEC Title VI implementation plan is available for on-site review at 401 Church Street, L & C Tower, 8<sup>th</sup> Floor Annex, Nashville, TN 37243. The TDEC website is currently being updated. Upon completion, the Title VI plan will be available online at <http://tn.gov/environment/>.

TDEC disseminates information about its Title VI complaint procedures on a Title VI poster which is required to be posted in a conspicuous location in all TDEC facilities and those of the Department's subrecipients and contractors. The public may also find complaint information in the TDEC Title VI brochure. Upon completion of the TDEC website updates, the Title VI complaint procedures and brochure will be available online at <http://tn.gov/environment/>.

TDEC disseminates information about its nondiscrimination policy on numerous agency materials including the Title VI poster which is required to be posted in a conspicuous location in all TDEC facilities and those of the Department's subrecipients and contractors as well as in the TDEC Title VI brochure.

TDEC disseminates information about its programs and services on the TDEC website at <http://tn.gov/environment/>.

The Department does publish a list of these boards on the department's web site, <http://www.tn.gov/environment/sunshine/> . TDEC does not currently disseminate information about its minority participation on planning boards and advisory bodies.

## **Demographics of Boards and Commissions (Including Ex-Officio's) for Environment and Conservation**

The Department does publish a list of these boards on the department's web site, <http://www.tn.gov/environment/sunshine/> .

Most of the statutes authorizing our boards and commissions have qualifications for the appointed members. For those boards that have no statutory requirement the Governor's office and Commissioner strive to find the best qualified representatives. Until recently, many of those laws required the Governor to appoint from a list of nominees submitted by certain groups. The recent changes allow the Governor to consider those nominees, but also consider others who are qualified. When requesting nominees from named interest groups our office makes an effort to point out that state law requests the appointing authorities to make a conscientious effort to select persons that would reflect the membership of minorities to be proportionate to the minority population of the state and this should be taken into consideration when developing their nominees.

The offices of the Commissioner and the Governor strive to find qualified minority representation for all board appointments. Only 4 of the 18 boards associated with the department do not have minority representation. They are the Great Smoky Mountain Park Commission, the Board of Ground Water Management, the Oil and Gas Board, and the Water and Wastewater Operator Certification Board do not have minority representation. Our strategy is to continue to working with named interest groups and the Governor's office to seek out minority representatives for boards and commissions attached to the department.

Demographics of the boards are as follows:

**1) Air Pollution Control Board (APC) - 14 Members- 12 Appointed by the Governor-  
2 Ex- Officio**

Caucasian Males- 10 (71.4%)

Caucasian Females- 3 (21.4%)

African American Female- 1 (7%)

**2) Archaeological Advisory Council (AAC) – 11 Members Appointed by the Governor**

Caucasian Males- 6 (54.5%)

Caucasian Females- 2 (18.1%)

American Indian Male- 2 (18.1%)

American Indian Female- 1(9%)

**3) Board of Ground Water Management (BGWM) – 5 Members Appointed by the Governor**

Caucasian Males- 5 (100%)

**4) Compliance Advisory Panel (CAP) - 7 Members- 2 Appointed by the Governor**  
1 Appointed by TDEC Commissioner  
4 Appointed by Legislature

Caucasian Males- 2 (28.5%)  
Caucasian Female- 1 (14.2%)  
African American Males- 2 (28.5%)  
Vacancy- 2 (28.5%)

**5) Commissioners Council on Greenways and Trails – 15 Members**  
Appointed by TDEC Commissioner

Caucasian Males- 7 (46.6%)  
Caucasian Female- 7 (46.6%)  
African American Male- 1 (6.6%)

**6) Conservation Commission – 16 Members- 15 Appointed by the Governor**  
1 Ex- Officio

Caucasian Males- 10 (62.5%)  
Caucasian Female- 4 (25%)  
African American Male- 2 (12.5%)

**7) Drycleaner Environmental Response Board ( DCERB) – 7 Members**  
6 Appointed by the Governor  
1 Ex- officio

Caucasian Males- 5 (71.4%)  
Caucasian Female- 2 (28.5%)

**8) Great Smoky Mountain Park Commission (GSMPC) – 6 Members**  
5 Appointed by the Governor  
1 Ex- Officio

Caucasian Males- 4 (66.6%)  
Caucasian Female- 2 (33.3%)

**9) Heritage Conservation Trust Fund (HCTF) – 11 Members Appointed by the Governor**

Caucasian Males- 7 (63.6%)  
Caucasian Female- 2 (18.1%)  
African American Male- 1 (9%)  
American Indian Female- 1 (9%)

**10) State Oil & Gas Board (O&G) – 6 Members – 3 Appointed by the Governor**  
3 Ex- Officio

Caucasian Males- 6 (100%)

**11) Petroleum Underground Storage Tanks – 9 Members- 8 Appointed by the Governor  
1 Ex- Officio**

Caucasian Males- 6 (66.6%)  
Caucasian Female- 2 (22.2%)  
Asian Indian Male- 1 (11.1%)

**12) TN Municipal Solid Waste Advisory Council (MSWAC) - 15 Members  
Appointed by TDEC Commissioner**

Caucasian Males- 8 (53.3%)  
Caucasian Female- 4 (26.6%)  
African American Male- 1 (6.6%)  
African American Female- 2 (13.3%)

**13) Solid Waste Disposal Control Board (SWDCB) – 11 Members  
9 Appointed by the Governor  
2- Ex officio**

Caucasian Male- 8 (72.7%)  
Caucasian Female- 1 (9%)  
African American Male- 1 (9%)  
African American Female- 1 (9%)

**14) State Review Board (SRB) – 13 Members Appointed by the State Historic Preservation  
Officer**

Caucasian Males- 8 (61.5%)  
Caucasian Female- 2 (15.3%)  
African American Male- 2 (15.3%)  
African American Female-1 (7.6%)

**15) TN Historical Commission (THC) – 28 Members- 24 Appointed by the Governor  
4 Ex- Officio**

Caucasian Males- 16 (57.1%)  
Caucasian Female- 7 (25%)  
African American Male- 3 (10.7%)  
African American Female-1 (3.5%)  
American Indian Male- 1 (3.5%)

**16) Water Quality Control Board (WQCB) - 10 Members – 7 Appointed by the Governor  
3 Ex- Officio**

Caucasian Males- 6 (60%)  
Caucasian Female- 3 (30%)  
African American Female- 1 (10%)

**17) West TN River Basin Authority (WTRBA) – 31 Members – 4 Appointed by the Governor**  
2 State Representatives Appointed by the House Speaker  
2 State Senators Appointed by the Senate Speaker  
Other positions are county mayors from participating

Caucasian Males- 10 (90.9% - calculated using “appointed” members)

African American Male- 1 (9.1% - calculated using “appointed” members)

\*\*\* There are 20 county executives (county mayors) on this board as well, but we did not include them since they are voted into office by their respective counties.

**18) Water and Wastewater Operation Certification Board (WWOCB) – 5 Members**  
4 Appointed by the Governor  
1 Ex- officio

Caucasian Male- 5 (100%)

The TDEC Office of External Affairs, through its Communications/Media Relations group, does include minority media in its media lists, which are used to share information about the department, generally through press releases. Examples are listed below.

**Actualidad Hispana**, Nashville, Davidson County  
**La Noticia**, Nashville, Davidson County  
**Solo Nashville** (Telefuturo - Channel 42), Nashville, Davidson County  
**The Urban Journal**, Nashville, Davidson County  
**Zona Familiar** Spanish Parenting Magazine, Nashville, Davidson County  
**Knoxville Enlightener**, Knoxville, Knox County  
**Mundo Hispano**, Knoxville, Knox County  
**Metro Forum**, Jackson, Madison County  
**La Prensa Latina**, Memphis, Shelby County  
**Tri-State Defender**, Memphis, Shelby County  
**El Paisano**, McMinnville, Warren County  
**La Campana**, Franklin, Williamson County  
**Zona Familiar**, Franklin, Williamson County  
**Pride Newspaper Group**, including - El Crucero de Tennessee, Chattanooga Courier, Clarksville Press, Murfreesboro Vision, Nashville Pride

The Office of External Affairs is beginning a project to solicit feedback from stakeholders across the state about the department's public participation opportunities and policies with the intent of improving the way we communicate with stakeholders. Minority and other underserved communities will be important stakeholders in this process. We are currently working to identify minority communities, beginning in the Jackson area, to set up feedback sessions so that we can develop systems for identifying these stakeholders as we work through departmental public participation processes and tailoring communications to most effectively meet their needs.

Per Tisha Calabrese-Benton, Director, TDEC Office of External Affairs, August 30, 2012

All TDEC contracts required for the period beginning July 1, 2011 through June 30, 2012, were solicited and processed by the Department of General Services, Central Procurement Office, per our requisitions requesting such for all goods & services. TDEC enters suggested vendors on the requisition, to include known small and minority vendors, to whom the Central Procurement Office issues an invitation to bid, along with other system-generated bidders for that particular commodity. In addition to the system-generated bidders, General Services also advertises all their events on their website.

## **13. EVALUATION PROCEDURES**

One goal of the Tennessee Department of Environment and Conservation (TDEC) Environmental Justice/Title VI Program is to increase employees' knowledge of federal non-discrimination requirements throughout the current fiscal year. In an effort to do so, assessment of the current program, exploration of opportunities for improvement, and implementation of changes to help increase knowledge of these federal requirements are currently underway. By doing so, the program endeavors to coordinate a strong effort to help TDEC achieve and maintain department-wide compliance with relevant laws and policies. Employee feedback has been and will continue to be solicited and evaluated in order to foster the development of more comprehensive tools to increase awareness and maintain compliance. During the upcoming fiscal year, greater priority will be given to employee education regarding Title VI of the Civil Rights Act of 1964, Limited English Proficiency (LEP) and environmental justice analysis. Such priority is reflected in increased offerings of employee educational training sessions during the fiscal year 2012-2013 as previously referenced in the proposed Title VI training dates in Section 11. Title VI Training.

## **14. RESPONSIBLE PARTIES**



STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
NASHVILLE, TENNESSEE 37243-0435

ROBERT J. MARTINEAU, JR.  
COMMISSIONER

BILL HASLAM  
GOVERNOR

September 17, 2012

Tiffany L. Taylor  
Title VI Compliance Director  
Tennessee Human Rights Commission  
710 James Robertson Parkway-Suite 100  
Nashville, TN 37243-1219

Subject: 2012 Title VI Plan

Dear Ms. Taylor:

We are pleased to submit the 2012 Title VI Implementation Plan Revision on behalf of the Tennessee Department of Environment and Conservation. The Department promotes healthy and safe communities and quality environmental education for the benefit of the environment, public health and economy. The Department is committed to protecting the health of Tennessee's citizens and its environment, and to promoting environmental equity in the administration of its programs to the extent it may do so legally and practicably. The Department supports the objectives of achieving environmental equity for all Tennesseans.

This commitment is effective due to the hard work of our employees across the state. We are grateful that there are so many people committed to making Tennessee a better place to live, work and play.

Kindest regards,

A handwritten signature in black ink that reads "Robert J. Martineau".

Robert J. Martineau  
Commissioner

cc: Costin D. Shamble  
Title VI Coordinator

A handwritten signature in black ink that reads "Costin D. Shamble".