



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

MAR 30 2016

1200 New Jersey Avenue, SE.
Washington, DC 20590

In Reply Refer To: HCR-20
DOT# 2016-0035

(b) (6)

Subject: Acknowledgment and Acceptance of Complaint DOT# 2016-0035

(b) (6)

This letter acknowledges that the Federal Highway Administration's (FHWA) Office of Civil Rights is in receipt of your complaint, forwarded by the Arizona Department of Transportation (ADOT), alleging violations of Title VI of the Civil Rights Act of 1964 (Title VI) and USDOT's implementation regulations at 49 CFR Part 21 and/or 23 CFR Part 200. To be accepted for investigation, a complaint must meet the jurisdictional requirements described in FHWA's Investigations Manual, which conforms to the U.S. Department of Justice's procedures and standards for investigating complaints of discrimination. In your complaint, you allege the Georgia Department of Transportation (GDOT) violated Title VI when it chose an alignment for the SR135 road project that resulted in property acquisitions affecting the Estes Park Property.

After careful consideration, the FHWA has concluded that it must dismiss this complaint because a complaint has been filed with substantially similar subject matter in a federal court of superior jurisdiction. For this reason, this complaint will be dismissed by FHWA for lack of jurisdiction, and the complaint will be closed with no further action taken by FHWA.

Please note that you may file a private suit at any time pursuant to section 601 of Title VI. If you have any questions, please contact Kevin Resler at (202) 366-2925.

Sincerely,

Nichole McWhorter
Division Manager
Coordination and Compliance Division

Cc: Rodney Barry, Division Administrator, FHWA GA Division Office
William Farr, Assistant Division Administrator, FHWA GA Division Office
Vanessa Ross, Civil Rights Program Manager, FHWA GA Division Office