



Title VI Plan

Skagit County – Department of Public Works

Beginning date of Plan: September 30, 2022

Trisha Logue - Agency Administrator/Signatory Authority

Grace Kane, P.E. - Public Works Director / County Engineer

Title VI Coordinator

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Title VI Specialists

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I. Title VI Policy Statement

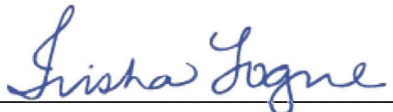
It is the policy of Skagit County that no person shall on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of Skagit County as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of Skagit County, including its contractors and anyone who acts on behalf of Skagit County. This policy also applies to the operations of any department or agency to which Skagit County extends federal financial assistance. Federal financial assistance includes grants, training, equipment usage, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly, neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 USC § 2000d and related statutes, 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3 and 49 CFR part 21.

Signed: 
Trisha Logue, County Administrator

4/20, 2023
Date

II. Organization, Staffing, and Structure

Trisha Logue, County Administrator is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all LPA employees, contractors, and agents pursuant to 49 CFR Part 21.

Skagit County has assigned the position of Assistant Public Works Director to perform the duties of the Title VI Coordinator and ensure implementation of their Title VI program. The position of the Title VI Coordinator is located within the Public Works Department.

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Developing procedures for the collection and analysis of statistical data;
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination; and
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

Board of Skagit County Commissioners

Commissioner, District 1

Commissioner, District 2

Commissioner, District 3

Skagit County Administrator

The County Administrator is authorized to ensure compliance with provisions of the County's policy of nondiscrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. The County's grants compliance function and Title VI coordination shall be performed under the authority of the County Administrator.

Title VI Coordinator

Assistant Public Works Director

Skagit County has assigned the Assistant Public Works Director to act as the Title VI Coordinator (Coordinator) and ensure implementation of the County's Title VI Federally Funded Transportation Program. The Assistant Public Works Director has other duties and responsibilities in addition to Title VI. The Assistant Public Works Director has access to the County Administrator.

Title VI Specialists

Assistant County Engineer / Engineering Division Manager

Administrative Assistant – Contracts & Grants

Skagit County Public Works has designated Title VI Specialists responsible for working with the Title VI Coordinator to compile data for annual reporting and sharing information regarding the Title VI Plan and annual reporting period goals with other transportation related departments. The Title VI Specialists collaborate with the Title VI Coordinator to implement Skagit County Public Works Title VI annual goals and assist with the preparation of the Annual Report.

Title VI Liaisons

Human Resources - Director of Human Resources & Risk Management

Transportation Programs Section - Transportation/Programs Section Manager

Operations Division - Administrative Supervisor

Skagit County Public Works has designated Title VI Liaisons in transportation related departmental special emphasis program areas. These key programs or departmental areas are subject to receiving federal assistance through grants or other types of transportation related funding or are responsible for implementing County directives and policies to ensure civil rights compliance and equal opportunity. The liaisons are responsible for ensuring compliance, program monitoring, reporting and training within the respective programs.

III. Primary Program Area Descriptions & Review Procedures

Title VI Coordinator's Responsibilities and Program Administration – As authorized by the County Administrator, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring Skagit County's compliance with Title VI requirements as follows:

- **Program Administration** – Administer the Title VI program and coordinate implementation of the Plan. Ensure compliance with the assurances, policy and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing and resources; provide recommendations as required to the County Administrator.
- **Complaints** – Receive and log written Title VI complaints that may be received by Skagit County following the adopted procedural guidelines (see Section VII – Complaint Procedures). Forward complaints to WSDOT Office of Equity and Civil Rights for processing by FHWA.
- **Data Collection** – Review the statistical data gathering process performed by Title VI Specialists periodically to ensure sufficiency of data for meeting the requirements of the Title VI program administration.
- **Environmental Impact Statements** – Ensure that available census data are included as a part of all Environmental Impact Statements/Assessments (EIS/EIA) conducted by

Public Works (PW) for projects receiving Federal Highway Administration or other federal assistance.

- **Training Programs** – Conduct training programs on Title VI issues and regulations for County employees; and facilitate Title VI training for appropriate staff, contractors and subrecipients. A summary of training conducted will be reported in the annual update.
- **Title VI Plan Update** – Review and update the Skagit County Title VI Plan as needed or required. Present updated plan to the County Administrator for approval; submit amended Plan to WSDOT.
- **Annual Accomplishment Report** – Prepare an annual report of Title VI accomplishments and changes to the program in the preceding federal fiscal year; identify goals and objectives for the upcoming year as required; and submit by November 1.
- **Public Dissemination** – Work with County staff to develop and disseminate Title VI program information to Skagit County employees and Subrecipients, including contractors, subcontractors, consultants, and sub consultants and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language or other agreements, website postings and annual publication of the County's Title VI Policy Statement in newspaper(s) having a general circulation, and information brochures. Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.
- **Elimination of Discrimination** – Work with the Public Works Department, Human Resources, and other County offices to establish procedures for promptly resolving deficiencies, as needed. Recommend Procedures to identify and eliminate discrimination that may be discovered in any County processes.
- **Maintain Legislative and Procedural Information** – Federal laws, rules, and regulations, WSDOT guidelines, the current Skagit County Title VI Plan, Annual Accomplishment Reports, and other resource information pertaining to the implementation and administration of the County's Title VI program will be maintained and updated by the Coordinator. Information will be made available to other County departments or the public as requested or required.

Design and Engineering

The Public Works Engineering Division is responsible for the Six-Year Transportation Improvements Program (TIP), which is incorporated into the Capital Improvement Program (CIP) and environmental permitting for projects. Studies are performed to assess various environmental factors as they relate to the implementation of the County's Annual Road Program, Including evaluating demographic data.

Depending on the scope, complexity and impacts of a project, a National Environmental Policy Act (NEPA), NEPA Categorical Exclusion, NEPA Environmental Assessment, State Environmental Policy Act (SEPA) Checklist, SEPA Determination of Non-Significance, or NEPA and/or SEPA Environmental Impact Statement will be completed.

Monitor compliance with Title VI requirements in all aspects of conducting Environmental Impacts Statements or Assessments. Provide a comprehensive summary of the demographic and environmental data elements to be considered by the EIS/EIA process to the Coordinator, including updated summary lists as applicable.

Time for the Coordinator to review and comment, as applicable, on the draft EIS/EIA to ensure there are no violations of the Federal Civil Rights Act, as amended, as a result of the County's federal aid highway activities.

In order to ensure dissemination of information and foster participation from affected populations, the Public Works staff will place public notices in applicable general and minority media; select accessible locations and times for public hearings or meetings and arrange for translation services as needed; particularly in projects impacting predominantly minority and low income communities. Ensure the public has information pertaining to their rights to call or write the department to view plans and discuss environmental problems.

Public Works staff will obtain demographic data at community meetings and public hearings pertaining to the transportation design phase. Data will be gathered through use of a voluntary sign-up form which includes race, gender, and national origin. Copies of the voluntary self-reporting forms will be provided to the Coordinator after each meeting.

Public Works staff shall provide a copy of the Annual Construction Report to the Title VI Coordinator in or around April of each year. Staff will continue to seek additional funding opportunities to provide transportation improvements to underserved communities.

Right of Way Activities

The WSDOT Local Programs Right of Way section oversees the appraisal and acquisition of real property and relocation assistance services for federally funded public works projects. The right of way acquisition process entails appraisal of property, negotiation of terms and conditions for acquisition, and assistance in the relocation of displaced individuals, businesses, farm operations, nonprofit organizations, and property management.

Ensure equal opportunity in all aspects of procuring real estate service contracting and appraisal agreements. Follow adopted County vendor procurement policies in the acquisition of contracted services.

Utilize current Washington State Office of Minority & Women's Business Enterprises (OMWBE) directories identifying fee appraiser organizations and the Washington State Department of Transportation's list of certified fee appraisers when seeking services. Maintain data on awards to minority and female appraisers and provide data to the Title VI Coordinator on a quarterly basis.

Follow the guidelines in the Right of Way Manual M26-01 for property acquisition as well as applicable laws and regulations, including Title VI and Section 504.

Adhere to departmental policy of apprising affected property owners, tenants, and others involved in right of way acquisition of their rights and options regarding negotiation, relocation, condemnation and other aspects of the acquisition process.

Provide copies of Right of Way literature produced by WSDOT (Transportation Property Needs and You, Non-Residential Relocation Assistance Program, Personal Property Only, Residential Relocation Assistance Program) to all affected parties.

Incorporate Title VI language and assurance statements in all brochures that are provided to property owners and tenants impacted by a highway transportation project. Monitor all program functions for compliance with Title VI provisions throughout the real estate acquisition process.

Maintain statistical data including race, color, and national origin on all relocates affected by federally funded projects and provide detailed demographic data quarterly to the Title VI Coordinator.

Construction and Maintenance Activities

Transportation/Programs Section, Project Managers, and Administrative Assistants (Contracts & Grants) – These personnel work within the Engineering Division and are responsible for the administration of all new construction contracts and inspecting bridges. The Engineering Division is responsible for oversight and the administration of transportation construction projects, as set forth by policy decisions and supervision of the County Engineer.

Maintenance – The Operations Division is responsible for the efficient program for maintaining County roads, bridges, and parks/grounds by economically utilizing the resources of contractors, equipment, and materials.

Review all federally funded projects for application of Disadvantaged Business Enterprise (DBE) goals. As appropriate, include DBE provisions in those projects with designated goals. Include Title VI language in bid announcements and applicable construction documents as stipulated in the County's Title VI Policy Statement (p. 2) and Assurances (Appendix A, herein).

Award construction contracts on the basis of lowest responsive bidder, as well as meeting DBE requirements. Include Title VI language in prime contract award letters to encourage utilization of DBE subcontracts and vendors.

Ensure that prime contractors with DBE requirements award contracted work to qualified DBE's which perform commercially useful functions.

Monitor all maintenance and construction operations to ensure nondiscrimination throughout all operations.

Coordinate the gathering of maintenance and construction information regarding DBE participation for the Annual Title VI Report; and provide to the Coordinator.

IV. Review Procedures –

Consultant Contracts Administration – The Public Works Engineering Division is responsible for the procurement of consultant contracts by following the requirements set forth in the Skagit County Purchasing Policy, WSDOT Local Agency Guidelines Manual, 48 CFR 31, and 23 CFR 172.

Public Works staff follows the aforementioned procurement requirements by soliciting Statements of Qualifications from consulting engineering firms specializing in various aspects of civil engineering which may relate to public works projects and the development of construction plans and special provisions for roads and bridges, design work associated with structures, performing environmental studies or preparing NEPA or SEPA documents for public works projects.

Consultant selection from the MRSC Roster or through formal bidding procedures adheres to Washington State regulations (RCWs) and is consistent with Skagit County's Purchasing Policy.

Title VI Assurances and Provisions

- Skagit County includes applicable Disadvantaged Business Enterprise (DBE) goals in designated projects, and seek to proactively achieve the goal(s).
- Skagit County includes Title VI assurance and provision language in all federally funded consultant contracts. Contract documents and language are periodically reviewed to ensure compliance with current laws and regulations.

Title VI Review of Subrecipients of Federal Aid Highway Funds –

Title VI Specialists and the Coordinator will assist WSDOT to periodically conduct Title VI compliance reviews. Title VI Specialists and Public Works staff will review select recipients of Federal Aid Highway funds to ensure adherence to Title VI requirements. The Coordinator and Specialists will work cooperatively to periodically confirm operational guidelines are provided to consultants and contractors, including Title VI language, provisions, and related requirements, as applicable.

Post-Grant Reviews – The Coordinator will collaborate with Specialists and Public Works Staff to conduct periodic post grant reviews of select recipients of Federal Highway Funds for roads, sidewalks, bridges, municipal construction, etc. to ensure adherence to Title VI requirements. Appropriate staff will periodically confirm that operational guidelines provided to consultants and contractors include the current Title VI language and provisions and related requirements, where applicable.

Remedial Action – When irregularities occur in the administration of federal aid highway

programs at either the County or Subrecipient levels, corrective action will be taken to resolve identified Title VI issues. Skagit County will seek the cooperation of the consultant, contractor or other Subrecipient in correcting deficiencies found during periodic reviews. Skagit County will provide technical assistance and guidance, upon request, to support voluntary compliance by the Subrecipient. When conducting Title VI compliance reviews, the County will reduce to writing any recommended remedial action agreed upon by the County and Subrecipient, and provide a copy of the letter within a period not to exceed 45 days.

Subrecipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a Subrecipient fails or refuses to voluntarily comply with requirements within the allotted time frame, Skagit County will submit to WSDOT and FHWA copies of the case file and a recommendation that the Subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ascertain if the Subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the Subrecipient refuses to comply, Skagit County and WSDOT may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

V. Data Collection/Reporting/Analysis

Hearings, meetings, and all project engagement opportunities are publicized (websites, Local Newspaper publications, social media, etc.) to residents in the affected neighborhoods. Where the population exceeds 5% or 1,000 (whichever is less) in non-English speaking communities, every effort is made to translate outreach materials up front into the appropriate languages. During public engagement opportunities the Engineering Division utilizes the Title VI Compliance Statement for use in public Meetings/Hearings Voluntary Title VI Public Involvement form to collect data from public meetings and hearings. Gender and/or racial/ethnic designation data is collected at meetings only when members of the public voluntarily provide the requested information. All data is collected and analyzed with the intended outcome of ensuring the inclusion of all segments of the population affected by a proposed project. Collected data is also reported in the annual accomplishments report.

VI. Title VI Training

In keeping with adopted Skagit County policy of nondiscrimination, departmental procedures will be established or followed for Public Works employees to have equal access to applicable educational and training opportunities. Public Works staff will maintain program administration documentation and data necessary for the preparation of annual Title VI reports, and will routinely supply the necessary data to the Title VI Coordinator.

National Highway Institute (NHI Education) – The Coordinator will be notified when training for the National Highway Institute courses or workshops become available to County Public Works employees. The Assistant Director of the Department of Public works will establish policy for the selection of participants interested in taking part in the National Highway Institute Training workshops to ensure that no one is denied participation or subjected to discrimination of the basis of race, color, or national origin. A report will be completed and forwarded to the

Coordinator upon completion of each educational seminar or course throughout the course of the year, which shall include the name of each participant, their title, division, and ethnicity for use in completing the annual Title VI accomplishment report.

Title VI Training – The Coordinator is responsible for overall Title VI related training and staff development for Title VI Specialists and other County employees. The Coordinator will organize or conduct a minimum of one internal Title VI training session annually. The Coordinator will organize and facilitate the provision of Title VI training sessions for consultants, contractors, and subcontractors periodically. WSDOT's Office of Equity and Civil Rights Internal and External Civil Rights Branch and the Contract Compliance Office may be asked to provide applicable training.

Selection of Instructors – The Coordinator will follow the Skagit County Purchasing Policy and State Procurement Guidelines in the selection of instructors for Skagit County Public Works training courses/workshops, and ensure equal opportunity in the selection process for all training contracts. Per adopted policy, the County will provide accessibility to Minority/Women/Disadvantage Business Enterprise Consulting and training firms to compete for training contracts.

VII. Title VI Complaint Procedures

Discrimination Complaint Procedure for Skagit County

Federal law prohibits discrimination on the basis of race, color, or national origin in any Skagit County program, service, or activity. This prohibition applies to all branches of Skagit County, its contractors, consultants, and anyone else who acts on behalf of Skagit County.

Complaints related to the Federal-aid programs may be filed with Skagit County and will be forwarded to Washington State Department of Transportation – Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, please contact Michael See, Title VI Coordinator @ PWTitleVI@co.skagit.wa.us.

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Skagit County program, service, or activity because of their race, color, or national origin may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

How do you file a complaint?

Complaints must be filed no later than 180 days from the last date of the alleged discrimination. Contact Michael See, Title VI Coordinator if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact Michael See, Title VI Coordinator.

Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. If a complainant phones Skagit County @ 360-416-1400 with allegations, the allegations of the complaint will be transcribed as provided by phone and then the written complaint will be sent to the complainant for correction and signature.

A complaint should contain the following information:

- The complainant's contact information, including, if available: full name, mailing address, phone number (and best time to call), and email address (if available);
- The basis of the complaint (e.g., race, color, national origin);
- The names of specific person(s) and/or agencies/organizations alleged to have discriminated;
- A description of the alleged discriminatory actions, meaning sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.

All Title VI complaints are logged. The Complaint log must contain the following information for each complaint filed:

- The name and address of the person filing the complaint.
- The date of the complaint.
- The basis of the complaint.
- The disposition of the complaint.
- The status of the complaint.

The Complaint Log and documentation are destroyed four years after the end of the fiscal year in which the case is closed.

Skagit County then forwards complaints to WSDOT-Office of Equity and Civil Rights for processing by FHWA. [WSDOT investigates complaints only if delegated by FHWA after acceptance of a complaint.] FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer the complaint and finding no violation or failure to comply.

Complainants have the right to file a complaint directly with the federal funding agency. The following address is where Title VI complaints may be filed directly with FHWA:

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
8th Floor E81-105
1200 New Jersey Avenue, SE
Washington, DC 20590

CivilRights.FHWA@dot.gov

What happens after a complaint is filed?

If your complaint is forwarded to another agency, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

FHWA will render final decisions in all cases including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once FHWA issues its final agency decision, a complaint is closed.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with an LPA, WSDOT, and FHWA.

VIII. Title VI Complaint Form



Title VI Complaint Form

Please complete this form to the best of your ability. If you need translation or other assistance, contact the Skagit County Title VI Coordinator at 360-416-1400.

Name _____

Address _____ City _____ Zip _____

Phone: Home _____ Work _____ Mobile _____

Best time of day to contact you about this complaint: _____

Email: _____

Basis of Complaint (circle all that apply):

Race	Color	National Origin (includes language access)
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Date of alleged incident: _____

Who discriminated against you?

Name _____

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

Explain what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. If you have any other information about what happened, please attach supporting documentation to the form. (Attach additional pages if more space is needed.)

What remedy are you seeking for the alleged discrimination? Please note that this process will not result in the payment of punitive damages or financial compensation.

List any other persons that we should contact for additional information in support of your complaint. Please list their names, phone numbers, address, email address below.

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____

Status (pending, resolved, etc.) _____ Result, if known _____

Complaint number, if known _____

Do you have an attorney in this matter? _____

Name (print) _____

Phone _____ Address _____

City _____ Zip _____

Signed _____ Date _____

IX. Public Participation

Planning Process – The County Transportation Programs Section Manager has responsibility for providing long-range planning, program development, and capital programming necessary to provide efficient transportation services to County citizens. The County Transportation Programs Manager annually updates and coordinates Skagit County’s six-year plan for transportation improvement programs and projects. The update also informs other Skagit County jurisdictions of the current planning direction for transportation needs. Projects included in the update are the result of evaluation and prioritization of needs in various transportation areas. The evaluation process includes input from various divisions in the department, cities, local jurisdictions and organizations, citizen groups, and private individuals. All six-year plans must be consistent with the adopted Comprehensive Plan approved under the State’s Growth Management Act.

Public Involvement in Planning Activities and Title VI

- Invite participation of a cross section of the populace from social, economic, and ethnic groups in the planning process by disseminating written program information to minority media and ethnic organizations, and providing public service announcements for all local media, when forming citizen advisory committees or planning board, and requesting public involvement.
- Public Works staff will obtain demographic statistics at applicable community meetings and public hearings involving transportation planning sessions. Data will be gathered through use of a voluntary Public Involvement form which includes race, gender, and national origin. Copies of the completed forms will be provided to the Title VI Coordinator after each meeting.
- To ensure access to public meetings, evening meetings will be conducted in the Skagit County Commissioners Hearing Room located at 1800 Continental Place, Mount Vernon, WA 98273. This building is close to public transit, and meetings can be broadcast to the public through the use of the televised Skagit 21 Channel. Public notices are advertised prior to public meetings, and include instructions on how to request translation services or disability accommodation, as needed.

X. Limited English Proficiency

PLAN SUMMARY

Skagit County Public Works has developed this Language Assistance Plan (LAP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to Skagit County services as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan while determining Skagit County’s extent of obligation to provide LAP services, Skagit County completed the U.S. Department of Transportation four factor LEP analysis which considers the following: 1) The number or proportion of LEP persons eligible in Skagit County who may be served or likely to encounter a Skagit County Public Works transportation related program, activity, or service; 2) the frequency with which LEP individuals come in contact with Skagit County transportation related services; 3) the nature and importance of the program, activity or service provided by Skagit County to the LEP population; and 4) the resources available to Skagit County and overall costs to provide LAP assistance. A brief description of these considerations is provided in the following section.

FOUR FACTOR ANALYSES

The number or proportion of LEP persons eligible within Skagit County who may be served or likely to encounter a Skagit County transportation related program, activity or service

Skagit County examined the US Census Data (American Community Survey Estimates 2021, as shown below) and was able to determine that approximately 17% or 22,120 people, age 5 and older, spoke a language other than English. Of the 22,120 people reporting they speak languages other than English, 8,874 or 7% of respondents speak English “less than very well.”

Types of Language Spoken at Home

in Skagit County, Washington

DP02



Measure	Value
English only	83.8%
Spanish	13.1%
Other Indo-European languages	1.5%
Asian and Pacific Islander languages	1.1%
Other languages	0.5%

**Source: United States Census Bureau – 2021 American Community Survey*

Skagit County, Washington			
Label	Estimate	Margin of Error	% of Population
Total:	123,675	±176	
Speak only English	101,555	±1,900	
Spanish:	17,534	±1,660	
Speak English "very well"	10,196	±1,819	
Speak English less than "very well"	7,338	±1,385	6%
French, Haitian, or Cajun:	160	±101	
Speak English "very well"	144	±98	
Speak English less than "very well"	16	±28	0%
German or other West Germanic languages:	460	±191	
Speak English "very well"	460	±191	
Speak English less than "very well"	0	±213	0%
Russian, Polish, or other Slavic languages:	1,234	±734	
Speak English "very well"	442	±388	
Speak English less than "very well"	792	±578	1%
Other Indo-European languages:	383	±294	
Speak English "very well"	277	±198	
Speak English less than "very well"	106	±187	0%
Korean:	78	±95	
Speak English "very well"	26	±32	
Speak English less than "very well"	52	±88	0%
Chinese (incl. Mandarin, Cantonese):	290	±271	
Speak English "very well"	193	±237	
Speak English less than "very well"	97	±110	0%
Vietnamese:	27	±41	
Speak English "very well"	19	±36	
Speak English less than "very well"	8	±20	0%
Tagalog (incl. Filipino):	838	±376	
Speak English "very well"	644	±338	
Speak English less than "very well"	194	±151	0%
Other Asian and Pacific Island languages:	1,053	±694	
Speak English "very well"	782	±525	
Speak English less than "very well"	271	±248	0%
Arabic:	1	±4	
Speak English "very well"	1	±4	
Speak English less than "very well"	0	±213	0%
Other and unspecified languages:	62	±62	
Speak English "very well"	62	±62	
Speak English less than "very well"	0	±213	0%

*Source: United States Census Bureau – 2021 American Community Survey

The frequency with which LEP individuals come in contact with a Skagit County Public Works transportation related program, activity, or service

Skagit County assesses the frequency at which staff have or could possibly have contact with LEP persons. This includes documenting phone inquiries and conducting interviews with reception staff and various Operations and Ferry personnel. Skagit County Public Works has had no transportation related requests for telephone interpretation and no requests for translated transportation related documents. Skagit County translates all major documents in Spanish or in another language by request. The staff and drivers have had some contact with LEP individuals with the majority of those contacts being Spanish speaking. Of these occurrences, none of the LEP individuals were reported to be unable to speak English or communicate with staff.

The nature and importance of the program, activity, or service provided by Skagit County to the LEP community

Skagit County Public Works Engineering and Operations Division programs include the repair, maintenance and/or improvements of roads and bridges, which are based on annual inspection ratings. Additionally, Skagit County Ferry Division operates the M/V Guemes Ferry which provides the only public source of transportation between Anacortes and Guemes Island. Programs, activities, and services provided by the Skagit County are provided to all community members equally regardless of the language spoken in any community.

The resources available to Skagit County and overall costs

Skagit County assessed its available resources that could be used for providing LAP assistance. This included identifying and entering into a contract with a local Professional interpreter and translation service company and utilizing WSDOT's "Providing Translation Services" flow chart to ensure that all vital documents are translated in accordance with current requirements.

After analyzing the four factors, we developed the plan outlined in the following section for assisting persons of limited English proficiency.

LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

How to Identify an LEP Person who Needs Language Assistance- The tools listed below will help identify persons who may need language assistance:

- Examine records requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When transportation related public hearings or project specific Public Meetings are held, the Voluntary Title VI Public Involvement form will be available in both English and Spanish. Completed forms will be analyzed to determine potential LEP services needed for future meetings or events;
- Have "Translation Line" language identifier sheet available for transportation related Public Hearings and at the reception desks at Engineering, Ferry, and Operations offices. While staff may not be able to provide translation assistance at this meeting, the sheets are an excellent tool to identify language needs for future meetings.
- Survey drivers, Administrative/Reception, and Ferry staff of any direct or indirect contact with LEP individuals.

Language Assistance Measures - Skagit County has or will implement the following LAP procedures:

- “Translation Line” language identifier sheets are to be located at the reception desk, M/V Guemes Ferry & Terminal Office, and Operations Division Office at all times.
- The Title VI Policy will be translated into Spanish and included on the Skagit County Website: <https://www.skagitcounty.net/Departments/PublicWorksEngineering/main.htm>
- When an interpreter is needed in person or on the telephone staff will attempt to determine what language is required and then contact the Language Exchange @ 360-755-9910 to schedule or request services based on the current need.

Skagit County Public Works Staff Training – Skagit County Public Works staff will be provided with the LAP Plan and educated on the following:

- Understanding the Title VI policy and LEP responsibilities;
- What language assistance services we can offer;
- Use of language identifier sheets;
- How to use the Language Line interpretation and translation services;
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint (this process is included in the Skagit County Title VI Plan)

XI. Environmental Justice

As individual capital projects are authorized and initiated, a project review process is initiated early in the project preliminary design phase. Early and ongoing project review is informed by an evolving understanding of the project stakeholders, constituent interests and demographic information obtained by census data and GIS data. As the project evolves, so does the project team’s understanding of the community and road users being served by the project and specific project products are informed by this data including the project scope and the project communications plan. For non- exempt projects with federal funds, additional stakeholder information is provided via Environmental Justice (EJ) documentation for NEPA where required.

The Environmental Justice review uses information within a half mile of the project from the U.S. Environmental Protection Agency (EPA). The EPA provides an environmental justice screening and mapping tool, known as EJSCREEN. The project EJ review also includes data from the nearest public school using the Washington State Office of Superintendent of Public Instruction Washington State Report Card. Project sites are visited to help identify potential sensitive receptors to minimize potential impacts. Physical environments are reviewed/documentated by Skagit County staff to identify critical/sensitive areas, potential project impacts, and future mitigation. Travel habits are studied by our Transportation Programs Section to assess local and regional mobility, potential project impacts, and future mitigation.

XII. Notice of Title VI Rights

Your Rights against Discrimination under Title VI of the Civil Rights Act of 1964

Skagit County hereby gives public notice that it is the Agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which Agency receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Skagit County. Any such complaint filed with the Skagit County Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI discrimination Complaint Forms may be obtained from the Skagit County Human Resources office at no cost to the complainant.

To file a Title VI discrimination complaint, contact:

Michael See, Skagit County Title VI Coordinator

360-416-1400

PWTitleVI@co.skagit.wa.us

Washington Department of Transportation

Office of Equity and Civil Rights – Title VI

Box 47314

Olympia, WA 98504-7314

TitleVI@wsdot.wa.gov

Phone: (800) 259-9143

Appendix "A" **Standard Assurances**

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Skagit County (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Washington State Department of Transportation (WSDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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 otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Washington State Department of Transportation.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard

to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Skagit County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

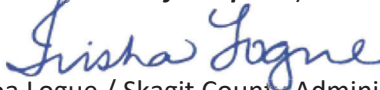
- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Skagit County also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Skagit County access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Skagit County. You must keep records, reports, and submit the material for review upon request to Skagit County, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Skagit County gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration. This ASSURANCE is binding on Washington State Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Skagit County

(Name of Recipient)



by Trisha Logue / Skagit County Administrator

(Signature of Authorized Official)

DATED 4/20/2023

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Washington State Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Washington State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Washington State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Washington State Department of Transportation may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Washington State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Skagit County will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Washington State Department of Transportation, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Skagit County all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Skagit County and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Skagit County, its successors and assigns.

The Skagit County, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Skagit County will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Skagit County pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Skagit County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Skagit County will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Skagit County and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Skagit County pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Skagit County will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Skagit County will there upon revert to and vest in and become the absolute property of Skagit County and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).