



Report for April 1, 2024 through March 30, 2025

## TITLE VI ACCOMPLISHMENTS & GOALS REPORT

This outline is for LPA and other governmental entities to report Title VI activities that occurred over the past year and report Title VI goals for the upcoming year. Reports must be returned on or before due date to meet eligibility requirements for federal funding. Send to [TitleVI@WSDOT.wa.gov](mailto:TitleVI@WSDOT.wa.gov)

**DUE DATES:** Refer to Section 28.3 for scheduled reporting period and due date

### Contact Information

Name and title of administrator (signature on Standard Assurances): Ed Sewester, P.E. County Engineer

Mailing Address: 1 NE 7<sup>th</sup> Street

City: Coupeville

WA

Zip Code: 98239

County: Island

Phone #: 360-679-7346

email address: [Ed.Sewester@islandcountywa.gov](mailto:Ed.Sewester@islandcountywa.gov)

Name and title of head of transportation-related services: Edward Sewester, P.E., County Engineer

Mailing Address: 1 NE 7<sup>th</sup> Street

City: Coupeville

WA

Zip Code: 98239

County: Island

Phone #: 360-679-7334

email address: [Ed.Sewester@islandcountywa.gov](mailto:Ed.Sewester@islandcountywa.gov)

Name and title of designated Title VI coordinator\*: Cecilia A. Herrera, Administrative Services Manager

Mailing Address: 1 NE 7<sup>th</sup> Street

City: Coupeville

WA

Zip Code: 98239

County: Island

Phone #: 360-679-7330

email address: [c.herrera@islandcountywa.gov](mailto:c.herrera@islandcountywa.gov)

\*When the Title VI coordinator changes, notify [TitleVI@WSDOT.wa.gov](mailto:TitleVI@WSDOT.wa.gov) within 30 days.

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To comply with Title VI requirements, each annual report submission must include signed Standard Assurances (USDOT1050.2A).

- See attachment for current signed DOT Assurances form #USDOT1050.2A

### Accomplishments

1. Have there been any changes to the approved Title VI Plan that have not been reported to OEO? If Yes, please submit an update to the Title VI Plan with a new signature. No changes have been made to the Title Plan approved on April 25, 2024. Title VI Plan attached
2. Organization, Staffing, Structure – Describe the Title VI Program reporting structure including the Title VI Coordinator, Administrative Head, and transportation-related staff. The list should include name, race, color, and national origin of each individual. Include the same details if your LPA has a volunteer or appointed board related to transportation decision making.

Cecilia Herrera      Administrative Services Manager, Title VI Coordinator  
Race, Color, national origin: Hispanic, White, USA

Edward Sewester, P.E.      County Engineer  
Race, Color, national origin: Caucasian, White, USA

Matthew Lander      Assistant County Engineer  
Race, Color, national origin: Caucasian, White, USA

Fred Snoderly, P.E.      Public Works Director  
Race, Color, national origin: Caucasian, White, USA

3. Community Demographics – Using a map of the LPA’s boundaries, describe the demographics of the LPA’s service area (e.g., race, color, national origin, low-income). List, by individual languages, the percent of the population(s) that is limited English proficient. Information is attached as 4 attachments. The source for the attachments is the Economic Development Council of Island County, in which the sourced used for the information was the U.S. Bureau Census. The individual languages spoken in Island County and the percentages are:

English = 90.69%  
Spanish = 3.67%  
Asian and Pacific Island Languages = 3.55%  
Other Indo-European Languages = 1.83%  
Other languages = .27%

4. Complaints – Provide a copy of the LPA’s Title VI complaint log, including new Title VI complaints received during this reporting period and any still pending. Include the basis of the complaint (race, color, national origin) and describe the disposition (status/outcome). Island County Public Works will respond to Title VI complaints in accordance with the County’s approved Title VI Plan. No complaints were received during this reporting period.

5. Planning – Describe the transportation planning activities performed this reporting period. Describe the actions taken to promote Title VI compliance regarding transportation planning, including monitoring and review processes, community involvement, their outcome or status. Include examples of community outreach.

Island County Department of Public Works created a 6-year Transportation Improvement Plan (TIP). This process started with community outreach with a call for public input. A call for input was made via email by GovDelivery and posting in the newspaper of record. As an example of community outreach, Island County Public Works received approximately 58 emails with input as a response to the request for input via GovDelivery emails to the public. Each of these inputs were addressed by tallying them into a spreadsheet to share with the Board and to use in the evaluation process. Each of the approximately 58 received feedback on their request, which accompanied much dialogue with the public. This was viewed as a positive as it allowed

everyone to feel heard and acknowledged. The evaluation process includes input from various departments, local jurisdictions and organizations, citizen groups and private individuals. Staff reviews transportation planning activities in consultation with the Title VI Coordinator to ensure compliance with Title VI. Input was prioritized based on various categories. A Public Hearing was held to adopt the 6-year TIP, in which citizens are encouraged to attend and give input. Public Hearings are advertised on the County webpage as well as in the local newspaper. In addition to in person meetings, attendance is also possible via phone or Zoom, and can be viewed on the Island County Website. In addition to public Hearings, project related public meetings are sometimes held to share upcoming information within the community. Island County utilizes the County Webpage, press releases via GovDelivery, and sometimes paper mailings to advertise these upcoming project events to encourage participation from all members of the community.

6. Right-of-way actions – Describe activities during this reporting period associated with the purchase, sale, lease/use, or transfer of real property (related to highway transportation/public right-of-way use). Include demographic information of affected populations. For example, the race, color, national origin of affected property/business owners(s)/tenant(s). No right of way activities reported in this time period.
7. Identify right-of-way appraisers and acquisition staff (used during this reporting period) by race, color, national origin. No right-of-way appraisers or acquisition staff were utilized during this reporting period. Brian Fagernes, Negotiator for Cascade RW Services, Caucasian, White, American
8. Studies and Plans – Were any transportation studies (including environmental reviews) conducted or transportation plans completed during this reporting period? Identify the data source(s) and provide data summary (Title VI/Environmental Justice Analysis) relative to ethnicity, race, languages spoken, neighborhoods, income levels, physical environments, and/or travel habits. Explain how data was used in these studies/reviews/plans. Transportation Safety Plan – Completed March 14<sup>th</sup>, 2025
9. Project Location and Design – Provide a list of construction projects that began during this reporting period. Using a map of the LPAs service area, identify project locations, and a brief description of the projects' benefits/burdens to affected populations. If possible, provide a map that overlays projects with the racial composition of affected neighborhoods. No projects began during this reporting period.
10. Other Public Meetings – List other public meetings held during this reporting period. Identify efforts used to encourage citizen participation at those meetings. Detail dates, times, locations, attendance, and provide examples of outreach materials. No public meetings were held during this reporting period.

Identify members of the LPA's transportation planning and/or advisory groups by race, color, and national origin

Specify methods used to collect demographic information from the transportation-related public meetings. (Self-identification surveys, notes by staff, etc.) Include summaries of Public Involvement Forms collected at each meeting, listing the demographics of those who attended by meeting.

Public Involvement forms were utilized due to no public meeting being held during this reporting period.

List any language assistance services requested. For which languages? Who provided the service? In addition, list vital documents translated during the reporting period and identify the languages. No Language assistance services were requested, and no documents were translated. There were no special language needs that needed to be addressed.

11. Transportation-related Construction and Consultant Contracts (if applicable) – Briefly describe the process used to advertise and award construction contracts during this reporting period. Include the process for negotiated contracts (e.g., consultants).

Island County Department of Public Works advertises construction projects in the official newspaper Whidbey News Times for three weeks through legal notices and formal call for bids. Once bids are received an official opening of bids is conducted. A registration log of bids is retained and includes the information of bidder/date/time of receipt. A document is created to compile the data and identify the lowest responsible bidder. Upon bid receipt notification is given to the WSDOT Northwest Region contact. Upon their approval bid award recommendation goes to the Board of Island County Commissioners on a meeting agenda for approval. The contractor signs the contract and returns within ten days and then it proceeds to contract execution by the Board of Island County Commissioners.

12. Describe the actions taken to promote construction contractor/consultant compliance with Title VI, by construction contractors/consultants, including monitoring and review processes, and their outcomes/status (e.g. what Title VI language was included in contracts and agreements; were contractors and consultants reviewed to ensure compliance; what Title VI responsibilities are explained to contractors and consultants?)

Specifications defining Title VI requirements are included in the contract documents with a requirement that these provisions be included in all amendments, supplements and lower tier contracts entered into by the contractor. Goals are established for the participation of Disadvantaged Business Enterprises, when applicable. The wording in the contracts for contractors and consultants is as follows: The Island County, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full 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.

In the pre-construction meeting, Title VI compliance is explained to the contractors and consultants, such as their rights and responsibilities. This is an important part of the pre-

construction meeting, so that all are aware of the Title VI responsibilities. It is explained that after contract execution, the contractor is responsible for reporting requirements outline in the contract, and adherence to all affirmative action and non-discrimination provisions for itself and its subcontractors. Consultant and subconsultants report payments monthly for tracking participation percentages for certified firms. Engineering staff routinely review reports as part of monthly progress payment approvals. Additionally, staff communicates these requirements to bidders and tracks compliance following contract execution.

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 Program** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

**"Island County Department of Public Works, 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.
13. List construction, right-of-way, and consultant contracts with your LPA/MPO/entity for this report period with dollar value of each. Identify funding sources (federal, state, local, other), and how many were awarded to certified disadvantaged contractors (as prime contractor/consultant)

Project Name	Funding Source(s)	Dollar Amount	Contract Type & Contractor Name	ROW Acquisition	Potential Negative Impact	Positive Impact to minority or low income populations
East Camano Dr. / Cross Island Intersection Improvements						
	STBG	\$405,000	Local Agency A&E Professional Services Negotiated Hourly Rate Consultant Agreement	TBD	No	Relieve traffic congestion and reduce collisions

14. Education & Training – Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status.

List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training.

The Public Works Administrative Services Manager attended Title VI Compliance: Agencies and Programs Receiving Federal Assistance – Certificate received June 15, 2023

The Public Works Business Manager attended a Teams meeting/training with the External Civil Rights Specialist from Washington State Department of Transportation on January 17, 2024. The purpose of this meeting is to provide guidance for the completion of your Title VI report and Plan.

When was Title VI internal training provided to staff? Who conducted the training? What was the subject of the training? Provide the job titles and race/color/national origin of attendees.

Island County Public Works employees participated in the Title VI Compliance: Agencies and Programs Receiving Federal Assistance Training through Knowledge City. The training was a self-paced training which included a test and a certificate of completion. The trainings were held on various dates commencing on July 30, 2024 and concluded March 7, 2025. The information is attached as 2 pages.

List other civil rights training conducted locally. Provide dates and a list of participants by job title and Title VI role, if applicable.

### **Title VI Goals for Upcoming Year**

What area(s) of Title VI does your agency plan to focus on in the upcoming year? Describe by particular program area what your agency hopes to accomplish. Include any significant problem areas to focus on and plans to address those.

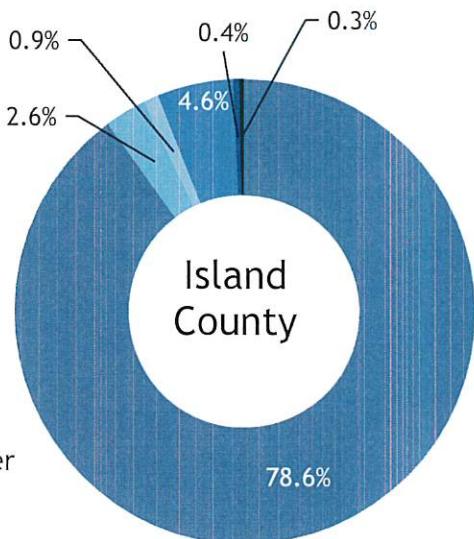
Post the 2025 Title VI Annual Report on the Public Works Webpage upon approval of report.

Title VI Coordinator will complete the Title VI Basics for Local Public Agencies – self paced training provided through WSDOT.

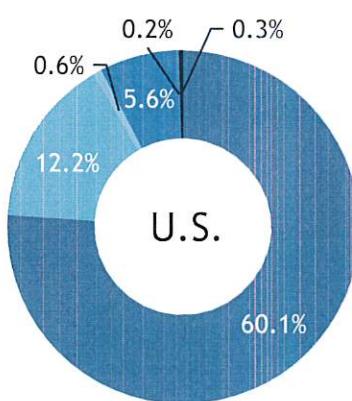
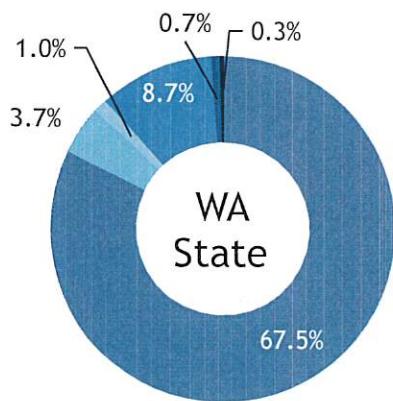
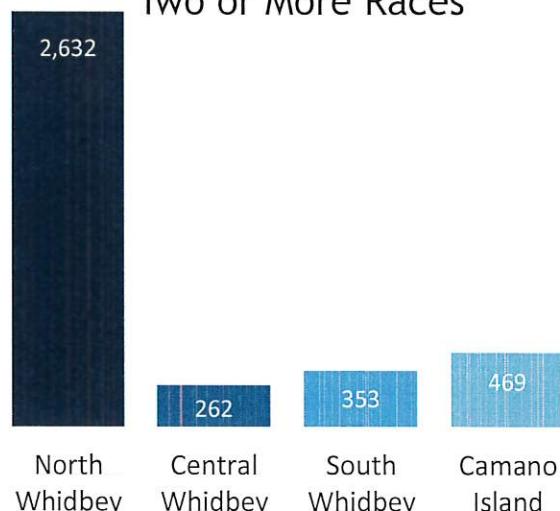
Plan out and conduct training for engineering staff in coming year. Contact External Civil Rights Specialist at WSDOT for assistance with training material, including videos, classes and/or webinars. Emphasizing getting employees trained on Title VI rules and regulations with contracting this year.

# Race

- White
- Black or African American
- American Indian & Alaska Native
- Asian
- Native Hawaiian or Other Pacific Islander
- Other



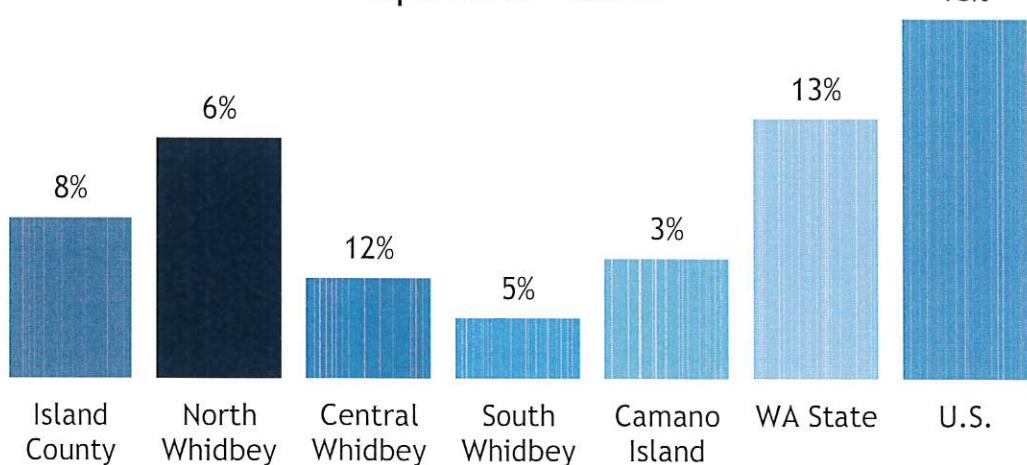
Population  
Two or More Races



The U.S. Census Bureau collects race data based on self-identification.  
Respondents may report more than one race.

**Hispanic or Latino**  
refers to a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

Hispanic or Latino

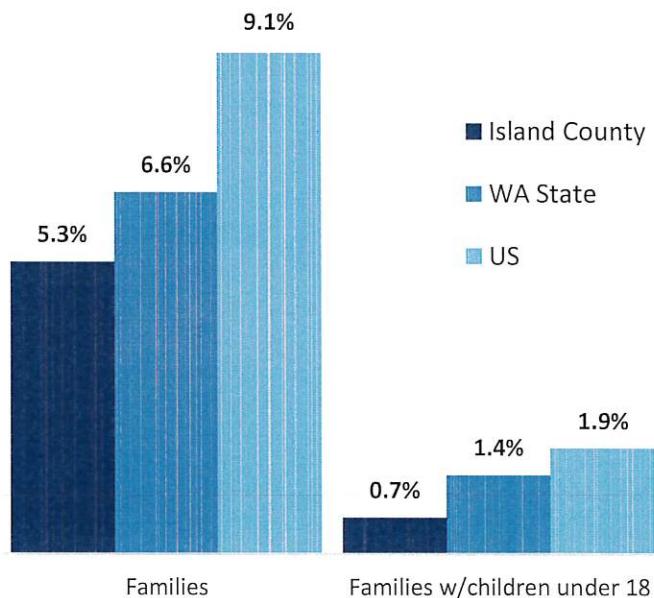


# Poverty

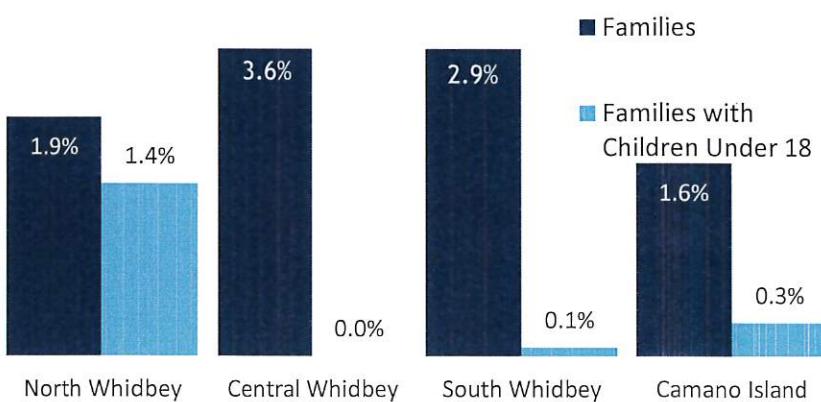
Poverty affects an economy in several ways. Those living in poverty, by definition, are that portion of a population living below the designated poverty line. These people have little money to spend, which creates less demand for many goods than might otherwise be the case. This has an adverse effect on the supply-side of the economic equation, which means less money paid to others to produce, distribute, and sell.

Poverty also adversely affects a nation's economy by diverting government revenue to programs oriented toward the poorer and less-advantaged segments of the population, such as welfare and unemployment payments, government-provided healthcare assistance, and so on.

## Families Below Poverty Level



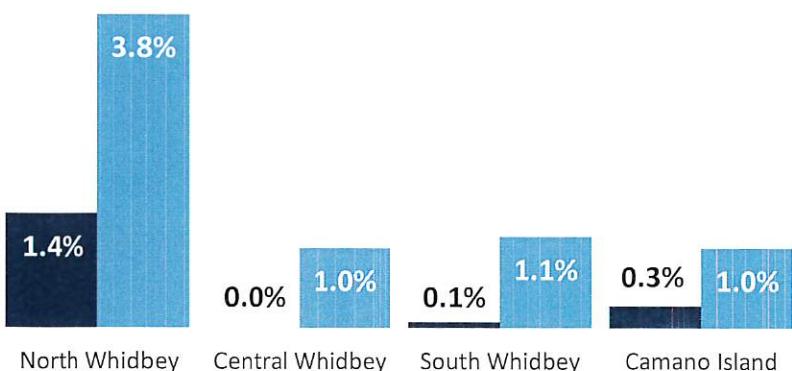
## Married Couples Below Poverty Level



## Families Below Poverty Level

w/ Children Under Age 18

■ Married Couple ■ Single Parent



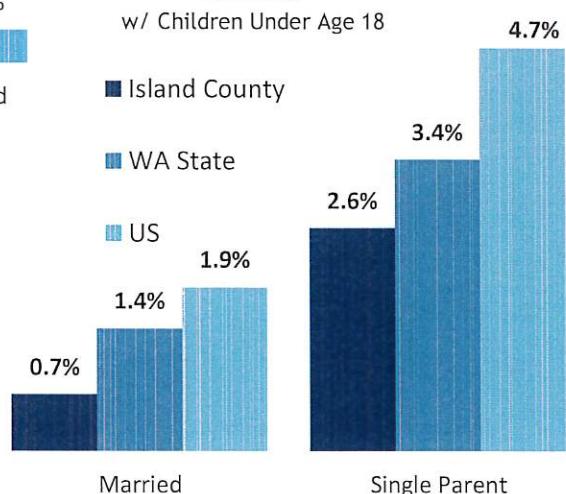
## Families Below Poverty Level

w/ Children Under Age 18

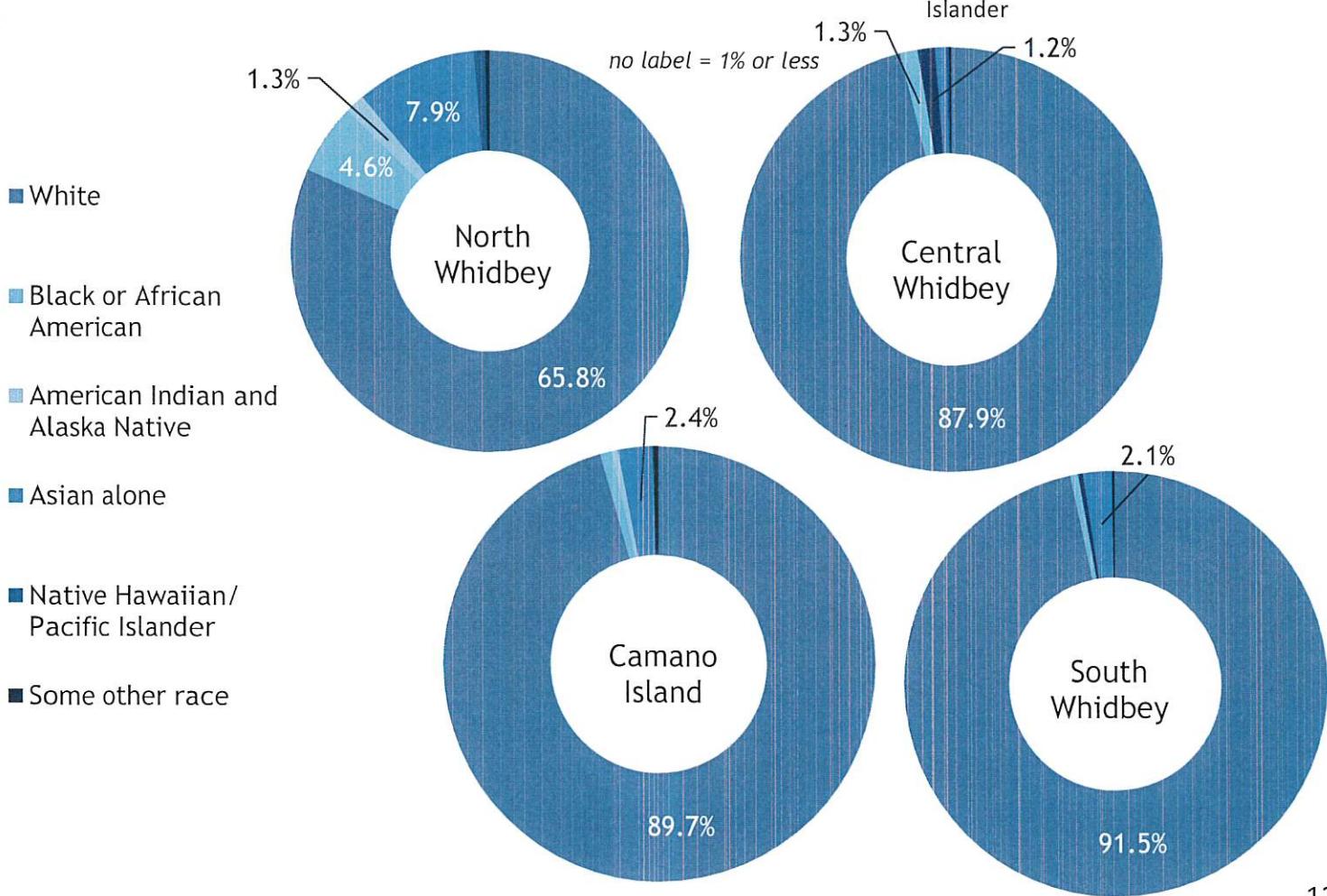
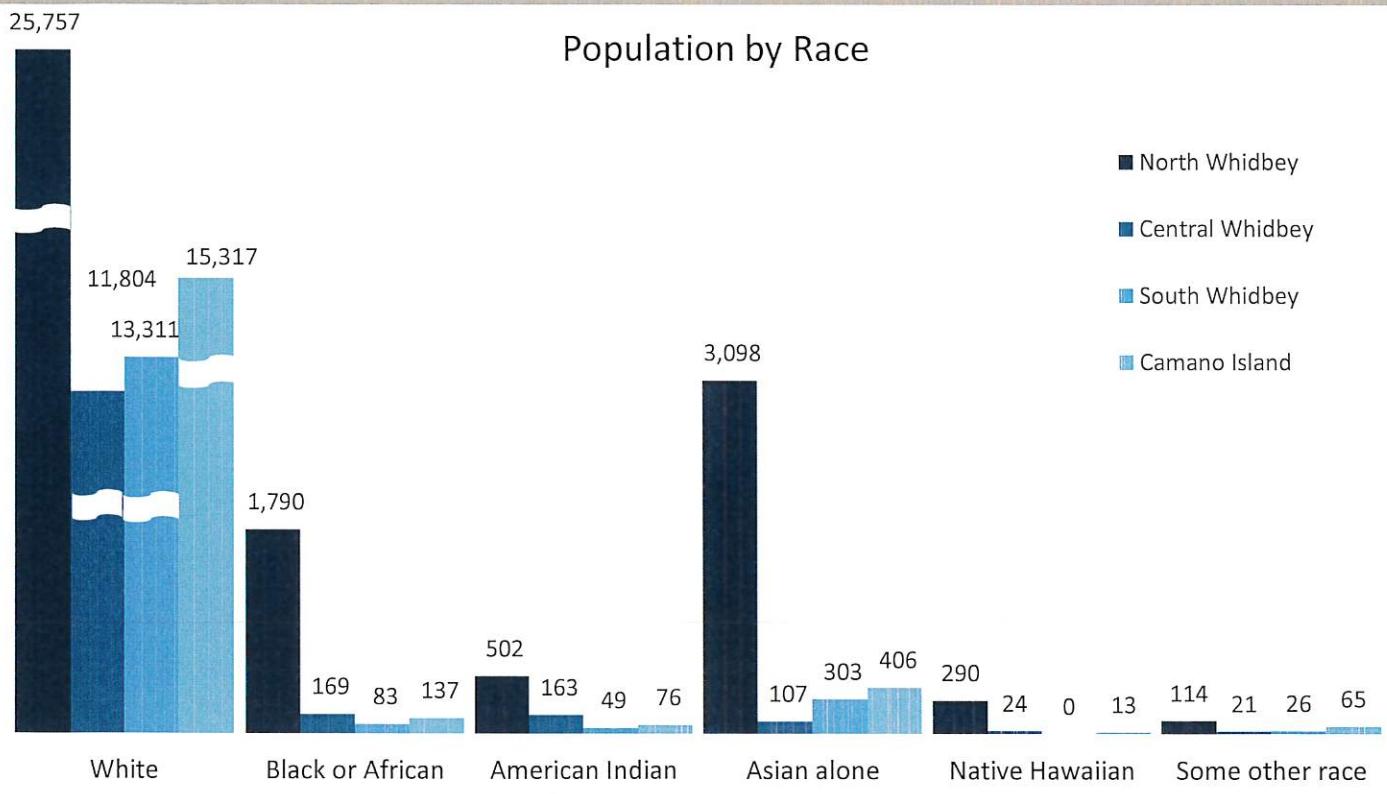
■ Island County

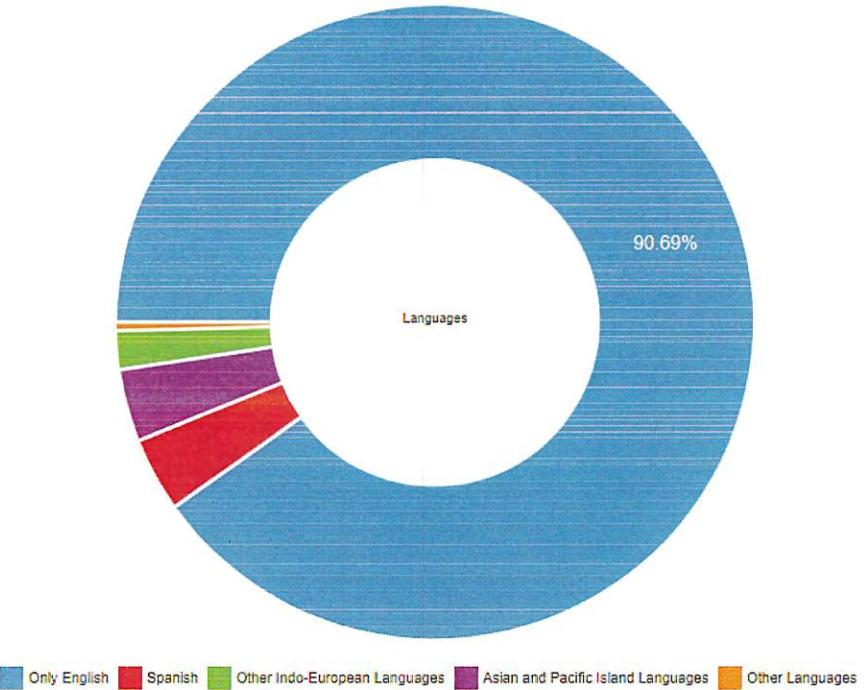
■ WA State

■ US



# Race



**Island County, Washington Language by Age****All Ages**   **5-17**   **18-64**   **65+****Island County, Washington Language**

90.69% of Island County, Washington residents speak only English, while 9.31% speak other languages. The non-English language spoken by the largest group is Spanish, which is spoken by 3.67% of the population.

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

**Assurances**

**DOT Order No. 1050.2A**

**Island County Department of Public Works** (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**, 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 Program** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

**"Island County Department of Public Works, 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, **Island County Department of Public Works** 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 **Washington State Department of Transportation** 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 **Washington State Department of Transportation**. You must keep records, reports, and submit the material for review upon request to **Washington State Department of Transportation**, 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.

**Island County Department of Public Works** 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-Aid Highway Program**. 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.

Island County Department of Public Works

by \_\_\_\_\_  
Edward Sewester, P.E.  
Island County Engineer

DATED 26 FEB 2024

## 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 **Island County Department of Public Works** 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 program**, and the policies and procedures prescribed by the **Washington State Department of Transportation** 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 **Island 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 **Island County Department of Public Works** 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 **Island County Department of Public Works**, its successors and assigns.

**Island County Department of Public Works** 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 **Island County Department of Public Works** 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 Island 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, **Island County Department of Public Works** 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 Island County Department of Public Works** 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 Island County Department of Public Works** 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 **Island County Department of Public Works** 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, **Island County Department of Public Works** 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, **Island County Department of Public Works** will there upon revert to and vest in and become the absolute property of **Island County Department of Public Works** 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.).

Employee	First Name	Last Name	Department	Title VI Compliant	Passed Date
13407	Mohammed	Al Saffar	Public Works	Passed	2024-07-30
13418	John	Becker	Public Works	Passed	2024-11-05
12060	Cecilia	Herrera	Public Works	Passed	2024-12-27
13097	Samantha	Nell	Public Works	Passed	2024-12-30
13043	BRET	HUGHES	Public Works	Passed	2025-01-03
12475	Matthew	Lander	Public Works	Passed	2025-01-03
13427	Eric	Bayer	Public Works	Passed	2025-01-05
12729	Rachel	Schwinden	Public Works	Passed	2025-01-07
11420	Colleen	Jokinen	Public Works	Passed	2025-01-14
13172	Colleen	Johnson	Public Works	Passed	2025-01-16
12142	Lyn	Little	Public Works	Passed	2025-01-16
13091	Cecelia	Montague	Public Works	Passed	2025-01-17
11310	Amie	Weatherford	Public Works	Passed	2025-01-18
13087	Sarah	Gooding	Public Works	Passed	2025-01-31
13286	Israa	Al Musawi	Public Works	Passed	2025-01-31
13287	Maytham	Al Rubaye	Public Works	Passed	2025-01-31
13362	Allison	Winch	Public Works	Passed	2025-01-31
13071	Drew	Goodson	Public Works	Passed	2025-01-31
12731	James	Sylvester	Public Works	Passed	2025-02-01
13070	Edward	Sewester	Public Works	Passed	2025-02-03
13434	Thomas	Honles	Public Works	Passed	2025-02-03
11872	Anne	Nysether	Public Works	Passed	2025-02-03
12592	Diane	Haddon	Public Works	Passed	2025-02-04
13430	Phil	Travis	Public Works	Passed	2025-02-25
11501	Mary	Martin	Public Works	Passed	2025-03-03
12415	Eric	Oswald	Public Works	Passed	2025-03-03
13128	Alexander	Reitz	Public Works	Passed	2025-03-03
13164	Cambrria	Edwards	Public Works	Passed	2025-03-03
13432	Phoebe	Tiv	Public Works	Passed	2025-03-03
10745	Doug	Holbert	Public Works	Passed	2025-03-03
12850	Sheila	Daut	Public Works	Passed	2025-03-06
12654	Nick	Tuttle	Public Works	Passed	2025-03-07