



Title VI Plan

Island County Department of Public Works

2024

Edward Sewester, P.E.
County Engineer

Cecilia Herrera
Administrative Services Manager, Title VI Coordinator

Prepared by:

Colleen Jokinen
Senior Finance/Business Manager

ColleenJ@islandcountywa.gov

360/240-5511

Table of Contents

I.	Title VI Policy Statement.....	1
II.	Organization, Staffing, and Structure.....	2
III.	Primary Program area Descriptions & Review Procedures.....	2
IV.	Review Procedures.....	7
V.	Data Collection/Reporting/Analysis.....	8
VI.	Title VI Training.....	8
VII.	Title VI Complaint Procedures.....	9
VIII.	Title VI Complaint Form.....	12
IX.	Public Participation.....	13
X.	Limited English Proficiency.....	13
XI.	Environmental Justice.....	16
XII.	Notice of Title VI Rights.....	18

Appendix 28.91

I. Title VI Policy Statement

It is the policy of Island County Department of Public Works 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 Island County Department of Public Works as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of Island County Department of Public Works, including its contractors and anyone who acts on behalf of Island County Department of Public Works. This policy also applies to the operations of any department or agency to which Island County Department of Public Works 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: 
Edward Sewester, P.E.

23 APRIL, 2024
Date

Appendix 28.91

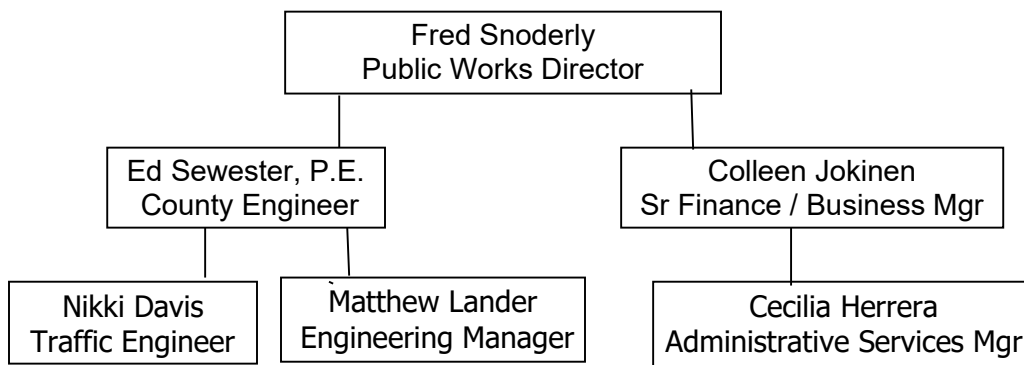
II. Organization, Staffing, and Structure

The County Engineer 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.

Island County Department of Public Works has created the position of Administrative Services Manager to perform the duties of the Title VI Coordinator and ensure implementation of their Title VI program. The position of Administrative Services Manager is located within Island County Public Works.

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;
- Investigating complaints, compiling a complaint log, and reporting to WSDOT;
- 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; and
- Developing Title VI information for dissemination.



III. Primary Program Area Descriptions & Review Procedures

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

Planning:

General Description

The Public Works Department is responsible for providing long-range planning program development and capital programming necessary to provide efficient transportation services. Each spring the department updates and coordinates its six-year transportation improvement program (6-Year TIP), which is then adopted by the fall. The update informs other departments and neighboring 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 departments, local jurisdictions and organizations, citizen groups and private individuals. The 6-Year TIP is guided by the Transportation Element of the adopted Comprehensive Plan.

Appendix 28.91

Title VI/Nondiscrimination Concerns and Responsibilities

The Public Works Department is responsible for ensuring that transportation plan address the diverse needs of the community and that improvements to motorized and active transportation facilities are addressed equitably. The department is responsible for ensuring equal opportunity is provided for individuals to give feedback on the development of transportation reports, programs, and plans.

Consultant contracts for professional services are publicly advertised on the Island County Public Works Department website and in the local newspaper, the Whidbey News Times and the Stanwood Camano News. It is the policy of Island County Public Works to comply with Title 49 Code of Federal Regulations (CFR) Part 26 to ensure that Disadvantaged Business Enterprises, including minorities and women, have an equal opportunity to receive and participate in federally assisted contracts. The department does not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate in connection with the award or performance of any contract covered by 49 CFR Part 26 on the basis of race, color, or national origin.

The assessments completed in the project design phase provide a comprehensive summary of the demographic and environmental data elements to be considered for the specific transportation project. The department is responsible for ensuring that project design addresses the diverse needs of the community and that improvements to motorized and active transportation facilities are addressed equitably. As part of this process, the Island County Engineer collaborates with local, state and federal agencies and the public to address project design and transportation improvements.

Review Procedures for Ensuring Nondiscrimination

Public Works Engineers utilize several tools to evaluate demographic and geographic equity of project planning activities including census data incorporated into GIS maps (including Limited English Proficiency (LEP) population, racial diversity, and median family income. The County Engineer frequently reviews and improves upon its outreach efforts to ensure it reaches as many people as possible. Gathering demographics is done by using the U.S. Census Bureau information. Efforts to improve outreach include providing translation and interpretation services as requested (e.g., in person, over the phone and written correspondence), providing different meeting options, mailing letters, and sending email updates via GovDelivery.

Design

General Description

The Public Works Department Engineers collaborates uses the Requests for Qualifications (RFQ) process to ensure competitive selection of qualified consultant firms. The Engineers administers transportation related contracts and ensures compliance with contract provisions, including Disadvantaged Business Enterprise (DBE) goals. The Engineers has primary responsibility for managing the project design contract including monitoring consultant and sub-consultant activities to ensure nondiscrimination throughout all phases of design and construction management.

The Public Works Department is responsible for the Transportation Improvement Program (6-Year TIP) planning and design including environmental permitting for transportation projects and evaluating demographic data to determine any impacts of a project. Individual studies are performed to assess various environmental factors as they relate to the specific project.

Appendix 28.91

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.

Title VI/Nondiscrimination Concerns and Responsibilities

Consultant contracts for professional services are publicly advertised on the Island County Public Works Department website and in the local newspaper, the Whidbey News Times and the Stanwood Camano News. It is the policy of Island County Public Works to comply with Title 49 Code of Federal Regulations (CF) Part 26 to ensure that Disadvantaged Business Enterprises, including minorities and women, have an equal opportunity to receive and participate in federally assisted contracts. The department does not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate in connection with the award or performance of any contract covered by 49 CFR Part 26 on the basis of race, color, or national origin.

The assessments completed in the project design phase provide a comprehensive summary of the demographic and environmental data elements to be considered for the specific transportation project. The department is responsible for ensuring that project design addresses the diverse needs of the community and that improvements to motorized and active transportation facilities are addressed equitably. As part of this process, the Island County Engineer collaborates with local, state and federal agencies and the public to address project design and transportation improvements.

Review Procedures for Ensuring Nondiscrimination

The Engineer has primary oversight responsibility for project design. The Engineer reviews all transportation design activities in consultation with the Title VI Coordinator to ensure compliance with Title VI. The Engineer in consultation with the Title VI Coordinator, will monitor compliance with Title VI requirements in all aspects of conducting Environmental Impact Statements or Assessments (EIS/EIA). The ADA/Title VI Coordinator will review the EIS/EIA to ensure adequate consideration and mitigation of any prospective federal civil rights impacts. The Engineer maintains data regarding selection of minority and female consultants for project design and/or construction management work.

Right-of-Way

General Description

The Public Works Department Right-of-Way Division is responsible for managing and coordinating the appraisal and acquisition of real property and relocation assistance services for infrastructure 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 and entities. The Right-of-Way Division ensures equal opportunity in all aspects of procuring real estate consultant services. All right-of-way activities are conducted in accordance with WSDOT LAG Manual Chapter 25.

Title VI/Nondiscrimination Concerns and Responsibilities

The Right-of-Way staff utilizes the Office of Minority and Women's Business Enterprises (OMWBE) directory of certified appraisers and the Washington State Department of Transportation's list of certified appraisers when seeking services. The Right-of-Way Division follows the guidelines in the WSDOT LAG Manual for property acquisition as well as applicable laws and regulations, including Title VI of the Civil Rights Act of 1964 and Section 504 of the

Appendix 28.91

Rehabilitation Act of 1973. The department pays just compensation (fair market value) for acquisition of real property rights needed for project construction and provides equitable treatment of property owners in the appraisal and negotiation process.

The right-of-way staff provides copies of relocation assistance literature produced by WSDOT to all affected parties and works with the county's Legal Department on the preparation of deeds, licenses, and leases to ensure the inclusion of the appropriate clauses, including Title VI Assurances. Translation services are provided upon request.

Review Procedures for Ensuring Nondiscrimination

The Public Works Department is responsible for right-of-way acquisition. The right-of-way staff maintains data regarding awards to minority and female appraisers, as well as statistical data (including race, color, national origin and low-income) on all owners of acquired property and relocated persons affected by Federally funded projects. Detailed demographic data is provided to the Title VI Coordinator.

Communication Services

General Description

The Public Works Engineering staff is responsible for public outreach, involvement and communication support for Public Works projects, activities, and programs. They assist with conducting background research on Public Works projects to determine the community composition and appropriate outreach. Translation and interpretation services will be provided if the need is anticipated or requested. The County Engineer and Engineers work closely with staff to provide updates for project plans and encourage feedback from the community.

Title VI/Nondiscrimination Concerns and Responsibilities

Adequate time is incorporated into the project communication planning process to invite participation of a cross section of the populace from social, economic, and ethnic groups in the planning and project outreach process. The Public Works Department provides traditional media as warranted, engage resident neighborhood advisory committees or planning boards, plan public meetings and generally request public involvement. The Title VI Coordinator will assist the Engineers by providing, as appropriate, LEP populations with useful access to information and inclusion in program and project public outreach and involvement processes. Public meetings are held in accessible meeting locations, including locations along transit routes. Public meetings are held in predominantly minority communities when projects will specifically impact those communities.

Review Procedures for Ensuring Non-Discrimination

The Public Works Department is responsible for evaluating and implementing Language Access Plan initiatives and Environmental Justice requirements. Education and Outreach staff assist the Title VI Coordinator, Engineers and Project Managers with Language Access program planning and Title VI compliance for transportation improvement programs and projects. Demographic data is utilized to help identify Limited English affected populations, environmental justice issues and Title VI compliance.

Construction

General Description

The Public Works Department awards public works projects through a competitive bidding process, recommends award of construction contracts based on lowest responsive/responsible

Appendix 28.91

bidder and assists with award and execution of contract. The Title VI Coordinator administers transportation related public works contracts and ensures compliance with contract provisions, including Disadvantaged Business Enterprise (DBE) goals. The Engineer has primary responsibility for managing the project contract including monitoring all construction activities to ensure nondiscrimination throughout all phases of construction. During the construction phase, the Engineers provide impacted neighborhoods with construction notices in alternate forms/languages, tailored to the demographics of the impacted neighborhood.

Title VI/Nondiscrimination Concerns and Responsibilities

The Title VI Coordinator reviews and includes applicable Title VI language in bid packages, advertisements, and award letters. The Engineer is responsible for identifying federal funding requirements and will include applicable DBE goals in designated projects. Contractors are encouraged to proactively achieve DBE goals established for construction projects and the Engineer tracks contractor and sub-contractor progress, DBE status and assigned contract dollar amount. The Engineer verifies that prime contractors with DBE requirements award subcontracted work to qualified DBE subcontractors, to the extent required.

Bid documents for construction are publicly advertised on the island County Public Works Department website, in the local newspaper, the through email by GovDelivery. It is policy of the department to comply with Title 49 Code of Federal Regulations (CFR) Part 26 to ensure that Disadvantaged Business Enterprises, including minorities and women, have an equal opportunity to receive and participate in federally assisted contracts. The department does not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate in connection with the award or performance of any contract covered by 49 CFR Part 26 on the basis of race, color, or national origin. All federal construction contracts and all bid packages have appropriate language, goal setting programs and monitoring to address the use of minority firms in capital construction. Engineers review information submitted into the Diversity Management and Compliance System (DMCS) through Local Programs on all federally funded projects.

Review Procedures for Ensuring Nondiscrimination

The County Engineer has primary oversight responsibility of construction activities. The Engineer collaborates with the Title VI Coordinator and the Legal Department to periodically review legal updates to documents and contracts to ensure compliance with Title VI requirements for contract language. The Engineers provides detailed construction updates to the Title VI Coordinator on an annual basis, including project name, contract value, type of service, contractor and sub-contractor names, DBE designation and funding source.

Maintenance

General Description

The Public Works Roads Division maintains and preserves the condition of the county road system including signs, traffic signals, drainage, overlays, and paving and oiling. The Public Works Roads staff respond to requests, projects and specific events to restore traffic systems and roadway systems. Annual maintenance of existing roads protects the assets and ensures adequate quality driving and surface at an optimized life-cycle cost. The non-motorized transportation upgrades add trails connections to complete and enhance the non-motorized transportation network. Public Works Roads staff work closely with Public Works Engineering to minimize environmental impacts of a project during maintenance and operations.

Title VI/Nondiscrimination Concerns and Responsibilities

Appendix 28.91

Public Works Maintenance Superintendent reviews transportation related activities and programs to verify maintenance and operations efforts are applied uniformly and fairly.

Review Procedures for Ensuring Non-Discrimination

The Public Works Roads Division has oversight responsibility for road system maintenance activities. Annual contracts are typically established for paving and pavement repair services. The Public Works Maintenance Superintendent provides detailed annual contract updates to the Title VI Coordinator, including contractor/sub-contractor names, DBE designation and contract value.

VI. Review Procedures

The County Engineer assures that every effort will be made to ensure nondiscrimination in all programs and activities whether those programs are federally funded or not. The Public Works Department continues to review and monitor requirements through regular internal protocols which include, but are not limited to, bid evaluations, progress meetings with contractors and consultants, and project submittals.

A. Consultants and Contractors - Specifications defining Title VI requirements based on USDOT 1050.2 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 (DBE), when applicable. After contract execution, the contractor is responsible for reporting requirements outlined in the contract, and adherence to all affirmative action and non-discrimination provisions for itself and its subcontractors. For consultant contracts, the -utilizes the Diversity Compliance Management System (DCMS) for tracking DBE participation. DCMS requires prime consultants and subconsultants to report payments monthly for tracking participation percentages for certified firms. Engineers routinely review the database and track compliance following contract execution.

B. Subrecipients - The Title VI Coordinator will assist WSDOT to periodically conduct Title VI compliance reviews. Public Works staff will review select recipients of federal highway or other federal funds, to ensure adherence to Title VI requirements. The Title VI Coordinator will work cooperatively with the subrecipients to periodically confirm operation guidelines provided to consultants, contractors and subrecipients, including Title VI language, provisions, and related requirements, as applicable.

C. Remedial Actions - When irregularities occur in the administration of federal-aid highway programs at either the recipient or subrecipient levels, corrective actions will be taken to resolve identified Title VI issues. The County Engineer will seek the cooperation of the consultant, contractor or other subrecipient in correcting deficiencies found during periodic reviews. The Engineering staff will provide technical assistance and guidance, upon request, to support voluntary compliance by the sub-recipient. The Title VI Coordinator will perform compliance reviews and write any recommended remedial actions agreed upon by designated Public Works staff 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, the County Engineer will submit to WSDOT and FHWA copies of the case file and a recommendation that the subrecipient be found in noncompliance.

Appendix 28.91

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 sub-recipient refuses to comply, the County Engineer and WSDOT may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

IV. Data Collection/Reporting/Analysis

Hearings, meetings, and all project engagement opportunities are publicized (e-mail via GovDelivery, websites, and posting in local newspapers) to residents in the affected neighborhoods. All printed and electronic communications are written in plain, reader-friendly English, and include information on how to access the materials in alternative formats or different languages. Where the population exceeds 5% 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 staff utilizes the Title VI Compliance Statement. The Voluntary Title VI Public Involvement form is used 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 Island County Department of Public Works 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 preparation of annual Title VI reports and will routinely supply the necessary data to the Title VI Coordinator.

The Title VI Coordinator is responsible for overall Title VI related training and staff development for Title VI Specialists and other employees. The Coordinator will organize or conduct a minimum of one internal Title VI training session annually. This will be an in-person meeting held at the Island County Department of Public Works building and will also be available to meet virtually. WSDOT's Office of Equity and Civil Rights may be asked to provide applicable training.

VII. Title VI Complaint Procedures

Discrimination Complaint Procedure for Island County Department of Public Works

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

Complaints related to the Federal-aid programs may be filed with Island County Department of Public Works and will be forwarded promptly or within five days to the Washington State Department of Transportation's Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, please contact Cecilia Herrera, Island County Department of Public Works' Title VI Coordinator.

Who is eligible to file a complaint?

Appendix 28.91

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Island County Department of Public Works 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 Cecilia Herrera, Island County Department of Public Works' 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 Cecilia Herrera, Island County Department of Public Works' Title VI Coordinator.

Complaints should be in writing, signed, and may be filed by mail, in person, or e-mail. If a complainant phones Cecilia Herrera, Island County Department of Public Works' Title VI Coordinator, 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.

Island County Department of Public Works then forwards complaints to WSDOT's 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

Appendix 28.91

determinations regarding whether to accept, dismiss, assess, 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.

Appendix 28.91

VIII. Title VI Complaint Form

Please complete this form to the best of your ability. If you need translation or other assistance, contact Cecilia Herrera, Island County Department of Public Works' Title VI Coordinator.

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)
------	-------	--

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.)

[illegible]

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.

Appendix 28.91

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

Hearings, meetings, and all project engagement opportunities are publicized (websites, local newspaper publications, and email communication through GovDelivery) to residents. The meeting and hearings use a public involvement form. The current U.S. Census shows the population of non-English language proficient people, in Island County, for Tagalog 0.4% and for Spanish 0.3%. The Voluntary Title VI Public Involvement form is used to collect data from public hearings and meetings.

Planning Process – The County Engineer is responsible for providing long-range planning, program development, and capital programming necessary to provide efficient transportation services to County citizens. Input is requested for the six-year plan for transportation improvement programs and projects. Projects 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 board, and requesting public involvement. Direction is followed as stated in Chapter 28 of the Local Agency Guidelines.

X. Limited English Proficiency

In order to provide meaningful communication for those with Limited English Proficiency (LEP), Island County Department of Public Works has access to use a Telephonic interpretation which provides oral, real time spoken word translation over the telephone. Vital documents will be routinely translated into Spanish and Tagalog upon production or updating of the document. Staff has been asked what languages they speak. If/when

Appendix 28.91

anyone who does not speak English calls Island County Department of Public Works office, or program, a qualified interpreter must be contacted to provide real-time interpretation during the call. The goal of Island County telephonic interpretation is to ensure all departmental telephonic communication with the public is accessible to all populations and to comply with federal language access regulations.

Island County Department of Public Works reviews which documents there are a demand for and consider vital documents. Document translation is currently used to translate in Tagalog and Spanish, and others that are needed. The information from the US Census is reviewed to determine which languages are needed.

The four factors analysis considers the following:

1) The number or proportion of persons eligible in Island County who may be served or likely to encounter an Island County Department of Public Works transportation related program, activity, or service;

Island County Department of Public Works examined the US Census Data – American Survey and was able to determine, as stated in the chart below, the approximate amount of people spoke a language other than English. The number or proportion of persons who may be served or likely to encounter an Island County Department of Public Works transportation related program, activity or service was examined in the US Census Data– American Community Survey

Limited English Proficiency by Language (LEP):		(population)
Spanish	3.67%	2,449
Asian and Pacific Island Languages	3.55%	3,029
German or Other West Germanic Languages	0%	253
Russian, Polish, or Other Slavic Languages	0%	146
Other Indo-European Languages	1.83%	220
Arabic	0%	0
Other and Unspecified Languages	.27%	135

2) The frequency with which individuals come in contact with Island County Department of Public Works transportation related services; Despite the fact that Island County Department of Public Works fully complies with all applicable federal transportation funds and state public notice requirements, active involvement in the transportation planning process on the part of the general public is fairly small. Open houses for public comments on projects provide the most opportunity for contact with potential LEP populations. Island County Department of Public Works assesses the frequency at which staff have or could possibly have contact with LEP persons. This includes documenting phone inquiries and surveying engineering staff. Island County Department of Public Works has not had a request for telephone interpretation and no requests for translated documents; however, we have the capability and are prepared to translate documents in Spanish or in another language by request in order to provide meaningful communication.

3) The nature and importance of the program, activity or service provided by Island County Department of Public Works to the LEP population; Island County Department

Appendix 28.91

of Public Works works with local entities and incorporates comments from the public when making decisions regarding investing in transportation projects and to ensure that mobility needs of various underserved populations are being met, including the LEP population. All of the planning initiatives may impact LEP populations in the county, either directly or indirectly. Island County Department of Public Works programs include repair, maintenance and/or improvements of roads, which are based on ratings. Programs, activities and services provided are provided to all community members equally regardless of language spoken in any community. There is no large geographic concentration of any one type of LEP individuals.

4. The resources available and overall costs

Island County Department of Public Works assesses its available resources that are used for providing LEP assistance. This includes identifying how much translation service would cost on as needed basis, which documents would be the most valuable to be translated if and when the populations request. Cost of training staff and what level of staff training is needed is also considered. Island County Department of Public Works is committed to providing translation services on request to any LEP populations identified in the county and providing assistance for speakers of other languages with Limited English Proficiency.

XI. Environmental Justice

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation and enforcement of environmental laws, regulations, and policies. Island County Department of Public Works strives to provide the same degree of protection from environmental and health hazards, and equal access to the decision-making process to have a healthy environment in which to live, learn and work. The County Engineer coordinates with local community members, local government agencies, transportation authorities and school districts regarding transportation related projects.

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 undertaken of the project stakeholders, constituent interests and demographic information obtained by the US Census data. As the project evolves, staff communicates with the road users being served by the project.

To incorporate Environmental Justice principles, staff ensures the principles of Environmental Justice are held by mitigating, avoiding, or minimizing disproportionately high and adverse human health and environmental impacts, including social and economic effects, on minority or low-income populations. Documents are completed and submitted for NEPA where required.

Example of Environmental Justice

Engineering staff provides Environmental Justice reports and Title VI reports for federally funded projects. These reports typically cover the following areas:

- Project Description;
- Affected Environment (including demographics of local community members affected);
- Public Outreach;
- Project Effects; and
- Determination.

For projects, the Engineering staff considers environmental justice impacts and how it can effectively communicate and ensure full and fair participation of all potentially affected

Appendix 28.91

communities. As the Title VI Coordinator will establish guidelines and practices to communicate projects and programs in ways that are meaningful to various cultural groups, bridge cultural and economic differences that affect participation, use communication techniques that enable people to interact, and increase participation by underrepresented groups.

XII. Notice of Title VI Rights

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

Island County Department of Public Works 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 Island County Department of Public Works. Any such complaint filed with the Island County Department of Public Works Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI discrimination Complaint Forms may be obtained from the Island County Department of Public Works office at no cost to the complainant.

To file a Title VI discrimination complaint, contact:

Cecilia Herrera, Administrative Services Manager
Island County Department of Public Works
1 NE 7th Street
Coupeville, WA 98239

Washington State Department of Transportation
Office of Equity and Civil Rights – Title VI
Box 47314
Olympia, WA 98504-7314
TitleVI@wsdot.wa.gov
Phone: (360) 705-7090

ATTACHMENT:

USDOT 1050.2A, Standard Assurances with Appendices