



## TITLE VI ACCOMPLISHMENTS & GOALS REPORT

### Contact Information

Name and title of administrator (signature on Standard Assurances): Josh Brown

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Name and title of head of transportation-related services: Kelly McGourty

Mailing Address: 1011 Western Avenue, Suite 500

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Phone #: 206-971-3601 email address: kmcgourty@psrc.org

Name and title of designated Title VI coordinator\*: Nancy Buonanno Grennan

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City: Seattle WA Zip Code: 98104 County: King

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\*When the Title VI coordinator changes, notify 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). This document is included as Appendix A.

### 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.

The Title VI plan was updated in 2021, located here: [title-vi-plan-2021.pdf \(psrc.org\)](#) and was updated in 2022 to reflect staffing changes for the agency's work.

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.

### PSRC Executive Director:

Josh Brown, White, Male. Oversees the agency, reports to the Executive Board.

**Title VI Coordinator:**

Nancy Buonanno Grennan, Deputy Executive Director, White, Female. Helps oversee the agency, reports to the Executive Director, provides agency wide guidance on the Title VI program and is responsible for processing Title VI complaints if received by PSRC. Oversees day-to-day administration of the agency's Title VI program.

Ms. Buonanno Grennan has delegated day-to-day administration of the program to Noah Boggess, Senior Public Engagement Specialist. Mr. Boggess, White, Male, co-coordinator, is responsible for the development of Title VI Accomplishments and Goals Report.

**Public Involvement Liaison:**

Michele Leslie, Senior Communications Specialist, White, Female. Coordinates communications and outreach.

**Planning & Programming Liaison:**

Ben Bakkenta, Director of Regional Planning, White, Male. Leads regional planning.

**Environmental Affairs Liaison:**

Erika Harris, Senior Planner, White, Female, SEPA responsible official.

**Consultant Contracts Liaison:**

Andrew Werfelmann, Budget Manager, White, Male. Oversees consulting contracts and DBE program.

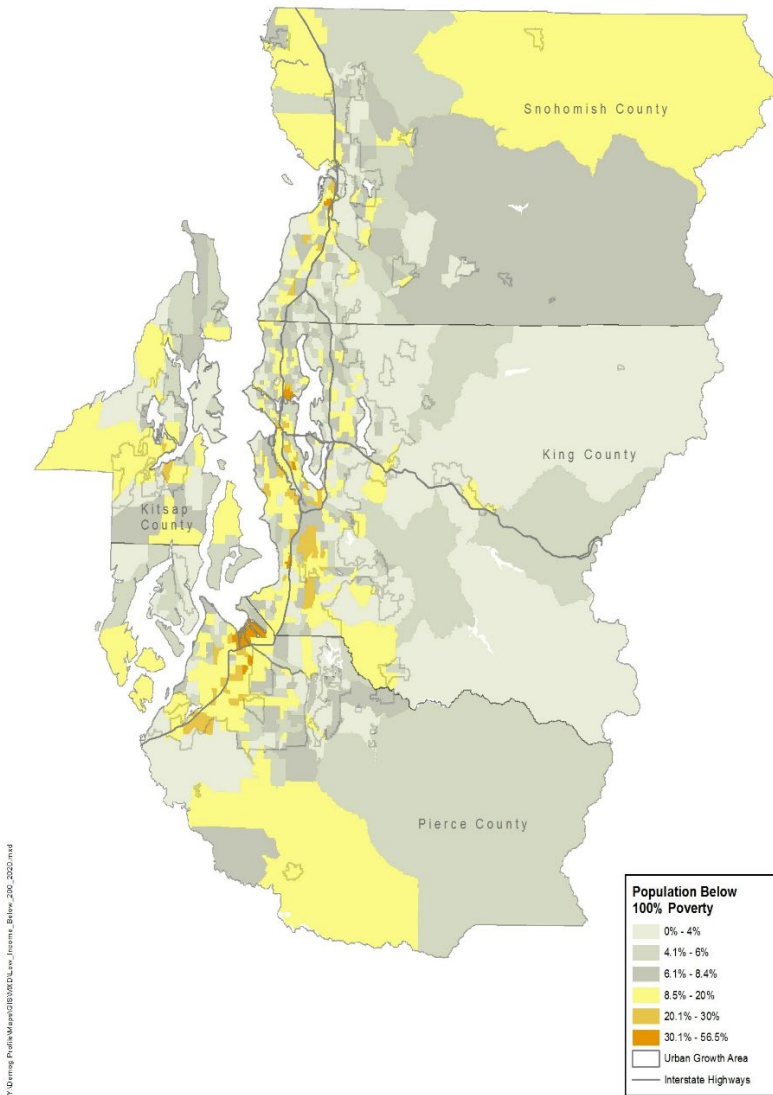
**Education & Training Liaison:**

Thu Le, Human Resources Manager, Asian American, Female. Oversees human resources, including education and training.

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.

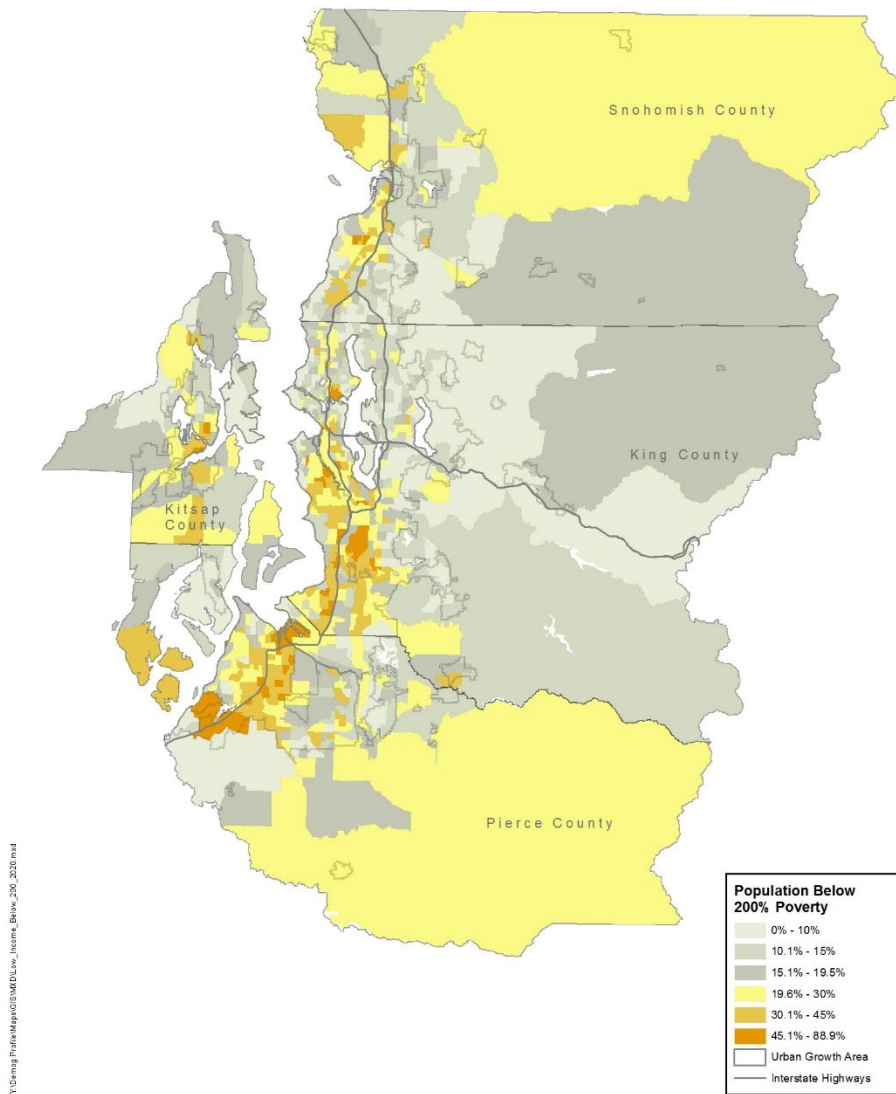
Maps 1 and 2 show the share of residents below 100% and below 200% of the Federal Poverty Level. The maps show concentrations of people with low income in areas along the Interstate 5 corridor in Snohomish County; Seattle's University, central, and south districts; southwest King County; Bremerton and south Kitsap County; and Tacoma and northwest Pierce County.

People of color represent 41% or two-fifths of the region's current population. Map 3 shows the share of people of color by census tract in the region. People of color are concentrated in the denser areas of the region along the Interstate 5, Interstate 405, SR 99 and SR 520 corridors, particularly in southwest and east King County, northwest Pierce County, and southwest Snohomish County.



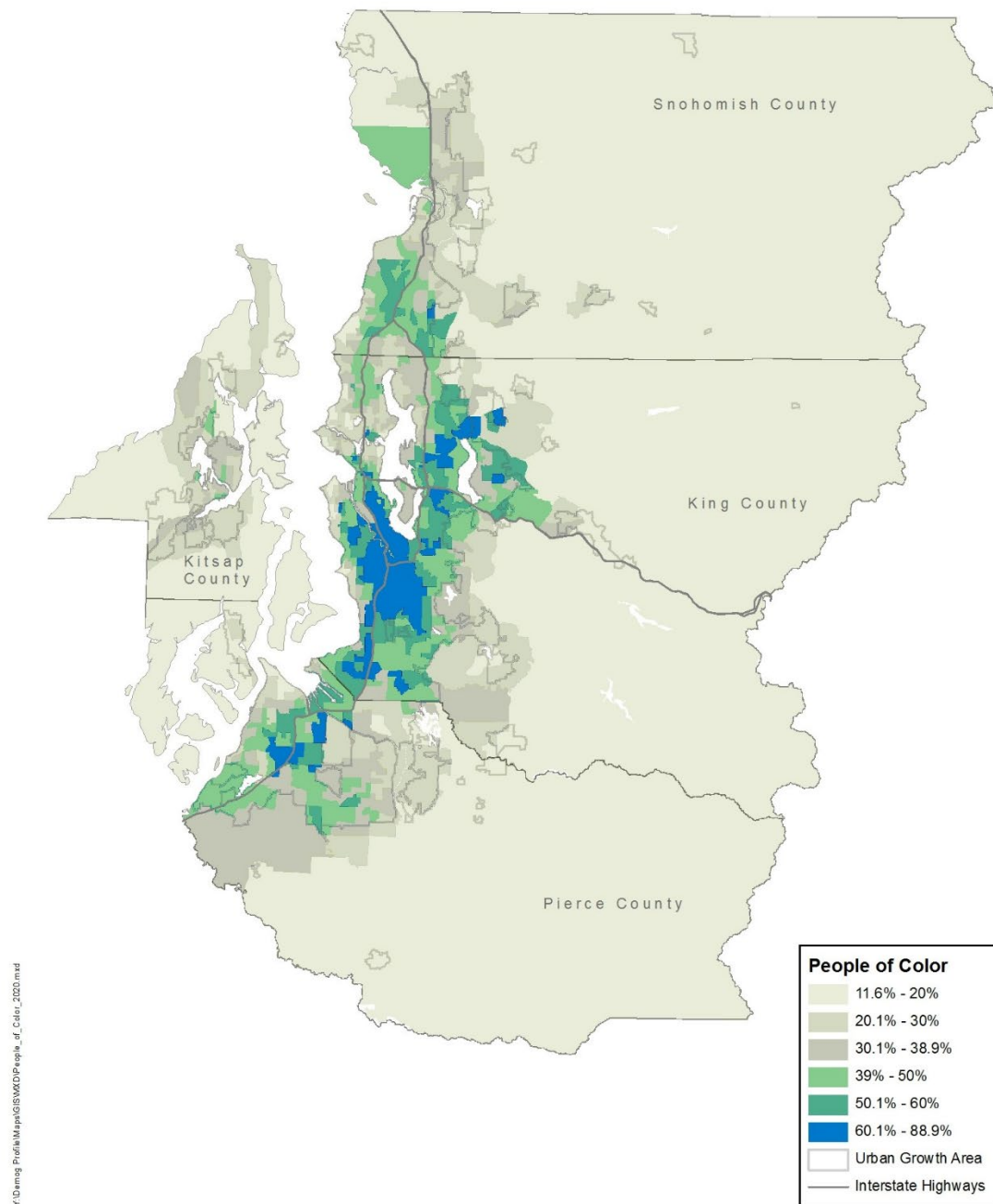
Map 1. Population Below 100% Federal Poverty Level

Source: 2020 5-year American Community Survey



Map 2. Population Below 200% Federal Poverty Level,

Source: 2020 5-year American Community Survey



Map 3. People of Color, 2020

Source: 2020 Census Redistricting (P.L. 94-171) File

**Table 1: Percent of Population with Limited English Proficiency by Language:**

Language Spoken at Home	Population	Speaks English less than “very well”	
Spanish	258,200	84,000	32.5%
Chinese	117,000	54,900	46.9%
Vietnamese	52,800	28,900	54.7%
Korean	41,900	22,700	54.2%
Tagalog	39,500	16,300	41.3%
Amharic, Somali, or other Afro-Asiatic language	38,900	14,600	37.5%
Russian	33,000	11,500	34.8%

Source: 2019 American Community Survey, 1-year estimates

*N.B.: Due to pandemic-related data collection challenges, the Census bureau did not release new 2020 1-year data through American Community Survey. The Bureau is expected to release the 2021 1-year data in the fall of 2022; PSRC will update this data accordingly.*

In the central Puget Sound region 7.8% of the population speaks English less than “very well.” Listed above are the seven languages with the most speakers that speak this language at home and the share of that population who speak English less than “very well.”

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).

No complaints were received during FY 2022.

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.

### **Regional Transportation Plan**

The Regional Transportation Plan was adopted by the PSRC General Assembly on May 26, 2022. It maps how the region intends to catch up and keep pace with expected growth. It outlines unprecedented investments the region is making to improve highway, transit, rail, ferry, bicycle and pedestrian systems to support the safe and efficient movement of people and goods. The plan included a public engagement report and an equity analysis report, available here <https://psrc.org/our-work/rtp>.

The updated Regional Transportation Plan responds to the priorities and the regional growth strategy identified in VISION 2050, the region’s growth management, economic, environmental, and transportation strategy adopted in October 2020. Early work on the Regional Transportation Plan included enhanced data collection on current transportation facilities and programs, improvements to PSRC’s analysis tools and performance metrics, and identification of and research on key policies and Transportation Policy Board (TPB) priorities. These included: Access to transit, forward thinking/future

transportation investments (i.e., Light Rail extensions, High Speed Rail, etc.), local agency and community needs, safety, equity, and climate change/greenhouse gas reduction.

PSRC conducted discussions of the priority policy topics with the TPB to determine direction for how they should be reflected in the 2022 plan. Policy topics were featured in general presentations to the full board, and the focus break-out discussions with small groups of board members. All TPB meetings were advertised to the public, and notice was provided to mailing lists, posted on the PSRC website, and included in weekly emails from the PSRC Executive Director. All TPB meetings were streamed live to the public and available in recorded format on the PSRC website.

For more information about the Regional Transportation Plan and the planning process, see <https://www.psrc.org/our-work/rtp>

The agency developed a new interactive web-based map and visualization tool that shows the region's transportation system in the context of demographics like income and race, land use, and more. <https://psrc.org/our-work/featured-work/regional-transportation-plan/transportation-system-visualization-tool>

**Online Survey.** To hear from more residents, PSRC followed up the representative survey that ran from April through September 2021 and was available in Simplified Chinese, Traditional Chinese, Somali, Spanish and Vietnamese. Close to 1,400 people filled out the online survey on PSRC's engagement website. Priorities were similar to those revealed in the Representative Survey. In addition to the questions available in the representative survey, additional questions were added to learn more about people with special transportation need's experiences with using traditional transit services and specialized transportation services.

**Focus Groups.** As a continuation of public outreach conducted earlier in the planning process (extensive public opinion surveys and community interviews held in Fiscal Year 2021), PSRC engaged a consultant to conduct a series of virtual focus groups in December 2021.

The purpose of the focus groups was to glean insights and personal testimonies about the region's transportation system, and to inform implementation of the Regional Transportation Plan. Through the focus groups, PSRC sought to explore the needs of individuals using our regional transportation system, particularly related to how residents would prefer to get around if improvements were made in the right places. The primary research goal was to capture personal statements and insight on: 1. Specific (personal) current and anticipated needs from our transportation system. 2. Current barriers to regional transportation. 3. Opportunities to improve daily travel (ease of use, safety, commute time, convenience, features). 4. What a "reliable and well-maintained road" means to participants, and what elements they see are missing currently. 5. What a "reliable transit system" means to participants, and what elements they see are missing currently. 6. What a safe transportation system looks like to participants, and what elements they see are missing currently.

The consultant hosted five virtual community focus groups: one focused on each county served by PSRC (King, Kitsap, Pierce, and Snohomish), and one focused on young adults (ages 18-25). 15-minutes prior to each session, participants who desired tech assistance were provided with one-on-one support to get logged in and prepared to participate. After each session, community participants were compensated with \$125 for their time and insights.



The engagement effort focused on hard to reach and underrepresented groups, including BIPOC populations, younger adults, and adults with disabilities. Focus groups covered the four-county area (King, Kitsap, Pierce, and Snohomish counties), with efforts to ensure a mix of representation from rural, suburban, and urban residents.

Background information on these activities, summary reports, and findings can be found at <https://www.psrc.org/our-work/regional-planning/regional-transportation-plan/public-involvement-regional-transportation>

**Business and Labor Interviews.** PSRC conducted targeted interviews with business and labor organizations and employers to dig deeper on the needs of commercial users of the transportation system in winter 2022. Strong support was demonstrated for the preservation of aging infrastructure and ensuring that it is maintained in a state of good repair. Reliable, well-maintained transportation infrastructure is seen as a quality-of-life issue to attract and retain employees, who want certainty in understanding what their transportation options will be. In addition, a plan for addressing the needs of I-5 was identified as a priority, along with finishing the big projects already begun, particularly in key economic corridors.

**Draft RTP Comment Period:** The public comment period for the draft Regional Transportation Plan was conducted between January 13 and February 28, 2022. To solicit comments, an online open house was developed to share information about the plan. This included 12 short videos explaining various components of the plan, as well as tools and background information to solicit comments in a variety of formats, including through an online comment portal, email, and mail. The online platform offered translation for written materials and videos.

Comments were received from 74 individuals, 17 of PSRC's member agencies, and 22 other organizations including tribal governments, public agencies, non-profit and community organizations. All comment letters and communications were posted on PSRC's website. At the meeting in March 2022, staff provided a detailed briefing on the public comments received. This included a categorization into 554 separate comments across specific plan topics as well as by three comment types: general plan comments, technical corrections, or comment for board review. Staff provided responses to every comment in a complete report that was provided to board members, commenters, and posted to the PSRC website. Formal actions on individual amendments or combined categories of actions identified in the comment period were taken by the Transportation Policy Board at their March and April 2022 meetings. Notice of the availability of this public comment report and the process for reviewing comments with the Transportation Policy Board was provided by email to all commenters prior to the board meetings. For further information about PSRC's Public Outreach and Engagement and how comments were shared with the board, See Regional Transportation Plan Appendix E: Public Outreach and Engagement ([https://psrc.org/sites/default/files/appendix\\_e\\_publicoutreachengagement\\_051322.pdf](https://psrc.org/sites/default/files/appendix_e_publicoutreachengagement_051322.pdf)).

**Tribal Outreach:** After invitations to participate were provided to the region's nine federally-recognized Tribes at the initiation of the project, a second round of emails and letters again inviting Tribes to participate in the RTP planning process were sent in January 13, 2022, notifying them of the release of the RTP for comment. Tribes that are members or associate members of PSRC have seats on the Transportation Policy Board and Executive Board and received information about the development of



the RTP throughout plan development. PSRC received written comment from the Nisqually Tribe and the Suquamish Tribe. In response, narrative was added to the final RTP introduction, water quality, and public engagement sections noting outreach to tribes, tribal treaty rights in the region's waterways, and ongoing engagement efforts with the region's tribes and tribal governments.

PSRC staff regularly reported on the findings from these activities to the Transportation Policy Board through the Regional Transportation Plan development period. Summary presentations and memoranda can be found in TPB October 2021 meeting materials. See <https://psrc.org/sites/default/files/tpb2021oct14-agenda.pdf> and <https://psrc.org/sites/default/files/tpb2021oct14-pres-rtpoutreach.pdf>

### **Transit Integration Report**

PSRC published a Transit Integration Report in 2021 documenting transit coordination activities underway and anticipated in the central Puget Sound region. <https://www.psrc.org/our-work/transit-integration>

### **TOOLBOX Peer Networking**

PSRC hosted periodic events focused on best practices and resources for local planning and implementation. These virtual sessions were advertised to the public and to PSRC's notification lists. Topics covered included:

- Industrial Lands (June 2022)
- Equitable Engagement for Comprehensive Plans: Tools and Strategies for Local Jurisdictions (October 2021)
- Mobile Home Parks: The Region's Invisible Affordable Housing (July 2021)

For materials and recordings of the sessions, see <https://psrc.org/toolbox-meetings>

### **Regional Transportation Improvement Program and PSRC Funding**

A key role of PSRC is to secure federal transportation funding for the region's communities. This work includes maintaining the Regional Transportation Improvement Program (TIP) to ensure transportation projects meet clean air requirements and help achieve the region's transportation goals.

#### **Funding and related activities during FY 2021-2022 included:**

- Conducting the 2021 Rural Town Centers and Corridors funding competition, which awarded \$5.5 million in federal funds to eight projects.
- Conducting the 2021 Transportation Alternatives funding competition, which awarded \$13.5 million in federal funds to nine projects.
- Initiating the 2022 competitive project selection process for \$549 million in PSRC's federal funds, a precursor to the scheduled adoption of the 2023-2026 Regional Transportation Improvement Program in October 2022.
- Continuing to maintain and enhance the project-tracking system to monitor progress of projects receiving PSRC's federal funds.
- Maintaining and improving the Regional TIP database and web map.

Public notice and opportunities to comment on projects submitted into the competitions were conducted according to provisions in PSRC's Public Participation Plan. For more information about PSRC's funding programs, see <https://www.psrc.org/our-work/funding>. Also see [https://psrc.org/sites/default/files/ppp\\_dec\\_19\\_2018.pdf](https://psrc.org/sites/default/files/ppp_dec_19_2018.pdf)

### **Special Needs Transportation**

A Coordinated Mobility Plan was adopted as part of the Regional Transportation Plan update in 2022, see <https://www.psrc.org/sites/default/files/rtp-appendixh-transit-humanservicesplan.pdf>

The Coordinated Mobility Plan outlines how transit agencies, social service agencies, school districts, and other transportation providers can most efficiently and effectively work together to improve regional mobility for individuals with special transportation needs throughout King, Kitsap, Pierce, and Snohomish counties.

In developing the plan, PSRC conducted focus outreach to people with specialized transportation needs through community-based organizations (CBOs) and online surveys during 2020-2021. Through this outreach targeted to people with lived experiences with mobility challenges, PSRC identified several key mobility needs that are highlighted in the Coordinated Mobility Plan. PSRC staff also attended three countywide mobility coalition meetings and one multi-county coalition (RARET) to engage specialized transportation providers and other stakeholders in the region. For a detailed description of outreach and engagement activities conducted in support of the development of the Coordinated Mobility Plan, see:

- Regional Transportation Plan Appendix B: Coordinated Mobility Plan ([https://psrc.org/sites/default/files/appendix\\_b\\_coordinatedmobilityplan\\_051322.pdf](https://psrc.org/sites/default/files/appendix_b_coordinatedmobilityplan_051322.pdf))
- Regional Transportation Plan Appendix E: Public Outreach and Engagement ([https://psrc.org/sites/default/files/appendix\\_e\\_publicoutreachengagement\\_051322.pdf](https://psrc.org/sites/default/files/appendix_e_publicoutreachengagement_051322.pdf))

### **Regional Housing Strategy**

PSRC adopted a Regional Housing Strategy in February 2022. The Regional Housing Strategy is a “playbook” of regional and local actions to preserve, improve, and expand housing stock in the region. The aim is to make a range of affordable, accessible, healthy, and safe housing choices available to every resident and to promote fair and equal access to housing for all people.

The Regional Housing Strategy will help guide and support upcoming local comprehensive plan updates. By providing data, guidance, and technical assistance, PSRC supports jurisdictions in their efforts to adopt best housing practices and establish coordinated local housing and affordable housing targets.

This work began with development of the first regionwide assessment of housing needs. The Regional Housing Needs Assessment ([www.psrc.org/regionalhousing-strategy](http://www.psrc.org/regionalhousing-strategy)) addresses the central question of “What are gaps between current and projected housing needs and housing supply?” The needs assessment analyzed the region's housing stock and demonstrated how local and subregional housing needs and supply fit into the regional picture. Findings from the Regional Housing Needs Assessment underscore that it is increasingly difficult to find and afford a home in the central Puget Sound region, and that these challenges are disproportionately felt by Black, Indigenous, and People of Color (BIPOC)

communities. More on the Regional Housing Needs Assessment is available online (<https://psrc.org/sites/default/files/rhna-execsummary.pdf>). The Regional Housing Strategy is informed by the findings of the Regional Housing Needs Assessment, Growth Management Policy Board feedback, stakeholder outreach, and discussions among focus groups.

The draft Regional Housing Strategy was released for public comment from July-August 2021. Comments were processed and presented to the Growth Management Policy Board, which took action on a series of amendments to modify the draft plan. For summaries of comments, proposed amendments, and PSRC staff responses, see the meeting materials for the Growth Management Policy Board September and October 2021 meetings: <https://psrc.org/gmpb-meetings>. After further review and action on final amendments, the PSRC Executive Board took action to adopt the Strategy in February 2022.

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).

Not applicable: PSRC does not purchase, sell, lease/use or transfer real property related to highway transportation /public right-of-way use.

7. Identify right-of-way appraisers and acquisition staff (used during this reporting period) by race, color, national origin.

Not applicable: PSRC does not employ right-of-way appraisers and acquisition staff, or contract for those services.

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 related studies and plans completed during reporting period:

- Policy Framework for 2022 Project Selection Process, including 2022 SEPA Addendum to the VISION 2050 Final Supplemental an equity Pilot Program. January 2022.
- Environmental Impact Statement. April 2022.
- Regional Transportation Plan. May 2022.
- Regional Housing Strategy. February 2022.
- Regional Economic Strategy. December 2021.
- 2021 Transit Integration Report. Nov 2021.
- Language Assistance Plan. September 2021.
- Central Puget Sound Demographic Profile. October 2021 located here: [https://psrc.org/sites/default/files/psrc\\_demographic\\_profile\\_2021.pdf](https://psrc.org/sites/default/files/psrc_demographic_profile_2021.pdf).

The planning process at PSRC makes use of data sources that provide information on race, ethnicity, languages spoken, and income. These includes survey data from the U.S. Census.

PSRC conducts a Household Travel Survey in two-year survey cycles. This provides information on travel patterns and includes demographic information. <https://www.psrc.org/household-travel-survey-program>

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.

Not applicable. PSRC acknowledges its responsibility to complete a Title VI equity analysis if PSRC were to construct a facility, such as an operation center, storage facility, etc. PSRC does not perform construction projects and has no plans to undertake a construction project at this time. However, if PSRC were to plan a construction project, it would complete the Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color or national origin. This process would include outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis would compare the equity impacts of various siting alternatives and occur before the selection of the preferred site.

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.

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.

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.

### Public Meetings

From July 1, 2021, through December 31, 2021, PSRC’s meetings were held remotely to ensure compliance with the then-existing emergency proclamations 20-05 and 20-28 et seq., issued by Washington State Governor Jay Inslee as a result of the COVID-19 public health emergency. Meetings continued as remote only using Zoom and other online meeting technology, while PSRC ensured it could hold effective hybrid meetings, allowing for both in-person and remote participation effectively. In January 2022, PSRC began holding hybrid meetings, allowing its board members and the public to participate either virtually or in person at PSRC’s offices in downtown Seattle.

**General Assembly:** PSRC’s General Assembly includes all mayors, county executives, commissioners, and councilmembers of PSRC’s member jurisdictions. Each elected representative is a voting member of the

General Assembly, which meets at least annually to vote on major decisions, establish the budget, and elect new officers.

The General Assembly meetings are open to the public. Members of the public are welcome to attend and submit comments on an individual agenda item. The meeting dates and times can be found on PSRC's website, as well as agenda materials which are posted 10 days in advance. For outreach, PSRC sends out a save the date, publishes a blog post and accompanying social media posts, and features the meeting in the Executive Director's email to over 3,700 recipients.

<https://www.psrc.org/board/general-assembly>

During the period of July 1, 2021 – June 30, 2021, the General Assembly met as follows:

Dates/Times	Attendance	Included Topics
May 26, 2022 10:00 AM – 12:00 PM Hybrid meeting	Attended by 112 elected officials representing 56 member jurisdictions; viewed live by 87 individuals	Adoption of Fiscal Years 2022-2023 Supplemental Budget and Work Program, Adoption of the Update to the Regional Transportation Plan, Election of Officers

**Executive Board:** PSRC's Executive Board members are appointed by their General Assembly constituents to represent the member governments. The board is chaired by PSRC's president, meets monthly and carries out delegated powers and responsibilities between meetings of the General Assembly. The Board's meetings are open to the public. Members of the public are welcome to attend and provide input, whether orally or in writing, on an individual agenda item at the beginning of each meeting. Executive Board meetings are typically held on the fourth Thursday of the month on or about 10:00 a.m. Specific meeting dates and times can be found on PSRC's website, as well as agenda materials, which are posted seven days in advance. For outreach, PSRC sends the agenda out to the Board's electronic mailing list and publishes a blog post and accompanying social media posts.

<https://www.psrc.org/board/executive-board>

During the period of July 1, 2021 – June 30, 2022, the Executive Board met as follows:

Dates/Times	Attendance	Included Topics
July 22 2021, 9 AM – 9:55 AM Remote Only	31 live views of the meeting	Approved partial distribution of American Rescue Plan Act of 2021.
September 23, 2021, 10 AM – 11:30 AM Remote Only	92 live attendees	Approved making Juneteenth an official PSRC holiday and approved the Title VI Plan
October 28, 2021, 10 AM – 11:30 AM Remote Only	78 live attendees	Approved the roster of the Equity Advisory Committee.
December 2 2020 10 AM – 11:30 AM Remote Only	137 live attendees	The Board heard from US Representative Marilyn Strickland and Representative Rick Larsen on

Dates/Times	Attendance	Included Topics
		the Infrastructure Investment and Jobs Act.
January 27, 2022, 10 AM – 11:30 AM Hybrid Meeting	91 live attendees	The Board approved the policies and procedures for the 2022 project selection process as documented in the 2022 Policy Framework for PSRC's Federal Funds
February 24, 2022, 10 AM – 11:30 AM Hybrid Meeting	41 live attendees	The Board approved the Regional Housing Strategy and heard an update on and provided input into the Regional Transportation Plan update.
March 24, 2022 Hybrid Meeting	51 live attendees	The Board approved projects from Rural Town Centers and Corridors Program and Transportation Alternatives Program
April 28, 2022, 10 AM – 11:30 AM Hybrid Meeting	94 live attendees	The Board unanimously recommended the adoption of the Regional Transportation Plan to the General Assembly.
June 23, 2022, 10 AM – 10:25 AM	20 live attendees	Approved an update to PSRC's compensation policy, to provide compensation to community-based organizations for their expertise and work with PSRC.

PSRC's Executive Board sponsored two all board workshops to build a foundation for PSRC's racial equity work and is an integral part of PSRC's Regional Equity Strategy.

Dates/Times	Attendance	Included Topics
July 22, 2021, 10 Am – 11:30 AM	65	Building a Foundation for Racial Equity
June 23, 2022; 10:30 AM – 12:00 PM	31	Understanding Implicit Bias

**PSRC's Policy Boards/Committees:** PSRC's policy-making process is guided by the work of three Policy Boards/Committees, detailed below. Members of the General Assembly may be appointed to one of the policy boards. Most of the discussion and debate on the "nuts and bolts" of a policy issue occurs in the boards and committees. Issues to be considered by the Executive Board typically come through one or more of the boards or committees. Representatives from PSRC member jurisdictions are required to be elected officials, but Tribes may appoint a non-elected representative.

The policy committee meetings typically occur on a Thursday morning. Members of the public are welcome to attend and provide input, either by submitting or making a comment on an individual agenda item.

PSRC typically provides public notice through posting information on PSRC's website, and, if appropriate, through e-mail notices and news releases to local media outlets. Materials to be considered at PSRC meetings are posted on PSRC's website and are made available to interested persons upon request.

**Operations Committee (OC):** The OC is composed of Executive Board members and is chaired by PSRC's vice-president. The OC reviews and makes recommendations to the Executive Board on the budget and work program, and on contracts and other financial and personnel issues. The OC meets monthly, on the fourth Thursday of every month, just prior to the Executive Board meeting, typically from 9 AM to 9:50 AM.

**Growth Management Policy Board (GMPB):** The GMPB includes representatives of PSRC's member jurisdictions, regional business, labor, civic and environmental groups. The GMPB typically meets on the first Thursday of the month from 10 AM to 12 PM and advises the Executive Board on key growth management issues, including the work leading up to the adoption of VISION 2050. Live stream attendance has ranged from a high of 182 in September 2021 to a low of 35 in April 2022.

**Transportation Policy Board (TPB):** The TPB includes representatives of PSRC's member jurisdictions, regional business, labor, civic and environmental groups. The TPB advises the Executive Board on key transportation issues, including distribution of transportation funding.

<https://www.psrc.org/board/transportation-policy-board>

Dates/Times	Attendance	Included Topics
July 9, 2021, 9:30 AM – 11:30 AM Remote Only	118 live attendees	Update on the Regional Transportation Plan's Financial Strategy and the public outreach. The Board also held breakout sessions on incorporating equity into the RTP.
September 9, 2021, 9:30 AM – 11:30 AM Remote Only	52 live attendees	Update on the Regional Transportation Plan (RTP), including preliminary analysis and performance measures.
October 14, 2021, 9:30 AM – 11:30 AM Remote Only	74 live attendees	The Board heard from WSDOT on its priorities, received an overview of the outreach and a summary of next steps in the RTP development.
November 10, 2021, 9:30 AM – 11:30 AM Remote Only	90 live attendees	The Board was given a preview of the forecast conditions visualization tool and the potential it provides to view future system needs and opportunities.
December 9, 2021, 9:30 AM – 11:30 AM	82 live attendees	The Board was briefed on the coordinated mobility plan, and the

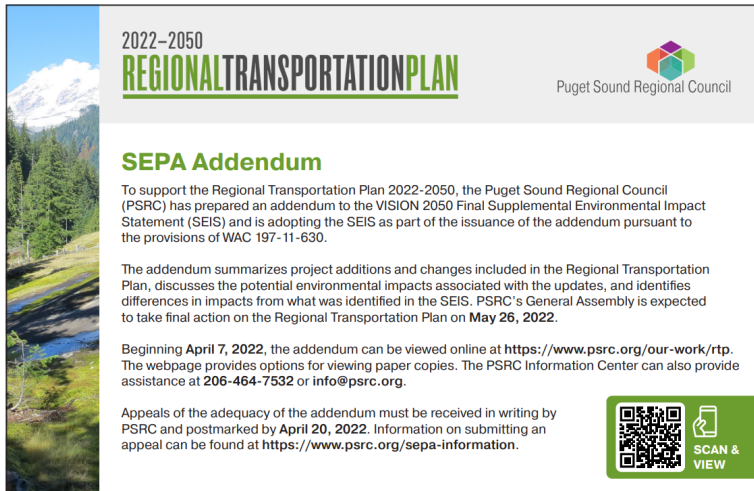


Dates/Times	Attendance	Included Topics
Remote Only		financial strategy and key policy focus areas of the RTP. The Board recommended releasing the RTP for public comment.
January 13 2022, 9:30 AM – 11:30 AM Hybrid Meeting	100 live attendees	The Board voted to recommend approval of the policies and procedures for the 2022 project selection process as documented in the 2022 Policy Framework for PSRC's Federal Funds.
February 10, 2022, 9:30 AM – 11:30 AM Hybrid Meeting	56 live attendees	The Board approved releasing the list of projects recommended for funding through the Rural Town Centers and Corridors Program and the Transportation Alternatives Program for public comment. The Board was also briefed on the 2022 proposed transportation work program and the RTP schedule and action steps.
March 10, 2022, 9:30 AM – 11:30 AM Hybrid Meeting	72 live attendees	Recommend approval of the Rural Town Centers and Corridors Program and Transportation Alternatives Program funding. The Board was briefed on the public comments received on the RTP.
March 31, 2022, 2022, 1 pm – 3 pm Hybrid Meeting	103 live attendees	Board considered proposed amendments to the RTP, based upon public comments and individual board member submittals and made recommendations to either amend or leave as is various sections of the plan.
April 14, 2022, 9:30 AM – 11:30 AM Hybrid Meeting	159 live attendees	Recommend approval the RTP after working its way through final proposed amendments.
June 9, 2022, 9:30 AM – 11:30 AM Hybrid Meeting	76 live attendees	The Board considered work items stemming from the RTP and provided staff direction on PSRC's transportation work program.

PSRC conducts workshops, community forums, and other events to keep the public informed and involved in various high-profile transportation projects and plans, and to elicit feedback from the public, partners, and stakeholders. All public meetings took place over Zoom webinar.

Project	Dates/Times	Attendance	Outreach Materials
Toolbox Peer Networking Sessions: Mobile Home Parks: The Region's Invisible Affordable Housing	July 16, 2021	91	Email notifications to interested parties, blog post, social media posts
Toolbox Peer Networking Series: Equitable Engagement for Comprehensive Plans: Tools and Strategies for Local Jurisdictions	October 29, 2021	80	Email notifications to interested parties, blog post, social media posts
Toolbox Peer Networking Series: Industrial Lands	June 24, 2022	91	Email notifications to interested parties, blog post, social media posts
2022 Census Workshop: Data Updates & Accessing Census Data on Data.Census.gov	June 8, 2022	77	Email notifications to interested parties and blog post
2022 Census Workshop: Census Bureau Equity Resources & PSRC Community Profiles	June 22, 2022	79	Email notifications to interested parties and blog post
Incentives for Transit Oriented Development: TIF and Other Financing Tools	April 29, 2021	97	Email notifications to interested parties, blog posts, and social media
Transit Oriented Development webinar: Breaking down barriers to building thriving and equitable transit-oriented development in the region	October 8, 2021	254	Email notifications to interested parties, blog posts, and social media
TOD Walking tours	October 8, 2021	64	Email notifications to interested parties, blog posts, and social media

A sample postcard notification is as follows:



## Demographic Identification

Equity Advisory Committee (EAC): The EAC is composed of residents as well as governmental and community-based organizations in the Puget Sound region representing BIPOC communities (see demographics below). The Committee co-creates products (*e.g.*, data tools and planning resources) for the Regional Equity Strategy and other agency projects with staff and the Executive Board as well as advises PSRC committees and policy boards on policies and programs with an equity lens. The EAC meets monthly, on the first Thursday of every month, from 5:30 PM to 7:30 PM.

Race / Ethnicity	Number of Members
Asian American	2
Black	8
Hispanic / Latinx	1
Multi-racial	7
Native American	1

Gender	Number of Members
Men	6
Women	13

PSRC asks attendees at in-person meetings to voluntarily provide demographic information. During the last fiscal year, most of PSRC's outreach activities were held on-line, either directly with PSRC staff or with consultants retained for outreach and engagement. PSRC asked attendees to voluntarily identify their race and ethnicity, language spoken at home, gender identification, and total annual income through completion of on-line forms and/or to self-identify orally during focus groups. The results of reach of these meetings are summarized below:

### A. Regional Transportation Plan focus groups:

In December 2021, PSRC held five focus groups; meeting participants shared their demographic information as follows:

	Black	East Asian	Hispanic or Latinx	Indigenous/First People of the Americas	Native Hawaiian or Pacific Islander	White	Other race, ethnicity, or origin
King County 12/16/2021	6				1	1	4
Pierce County 12/15/2021	2			1		4	1
Kitsap County 12/7/2021		1				1	2
Snohomish County 12/13/2021	3		1				1

B. Regional Transportation Plan comment:

From January 13, 2022 – February 28, 2022, PSRC asked for public comment on the draft Regional Transportation Plan. Each commentor was asked to voluntarily submit their demographic information. The commentors responded with the following demographic information:

	Black or African-American	Asian	Hispanic or Latinx	American Indian or Native Alaskan	Native Hawaiian or Pacific Islander	White	Other race, ethnicity, or origin
	2	8	1	1	0	58	5

### Language Assistance

PSRC received no requests for language assistance in the reporting period.

PSRC provides the following documents translated into the most frequently spoken languages in the region: Arabic, Simplified Chinese, French, German, Korean, Russian, Spanish, Tagalog, and Vietnamese.

- ADA Commitment
- ADA Grievance Procedure

- Title VI Notice
- Title VI Complaint Form and Procedures

Last year PSRC updated the process for individuals requesting language assistance by creating a new email address to contact. This streamlines the process for both PSRC staff and community members in need of assistance. This procedure has been translated in the languages listed above and is available on PSRC's Language Assistance page: <https://www.psrc.org/contact-center/language-assistance>.

In addition to vital documents, PSRC translated the following documents into simplified Chinese, traditional Chinese, Somali, Spanish and Vietnamese:

- Equity Advisory Committee (EAC) Application and Interview Questions
- EAC Call for applications
- EAC FAQ
- Regional Equity Strategy workplan

These were all posted on our website and pushed through our outreach networks and community partners.

**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).**

After it is determined that an RFP needs to be issued, PSRC posts the RFP on PSRC's website and then proceeds to advertise the release. This is done by sending an email to all registered consultants along with advertising in the local Business Journal, one minority newspaper and posting an ad on the State's OMWBE website for Minority and Women owned businesses as well as uploading it to the Washington Electronic Business Solution (WEBS). After solicitations are received a review committee evaluates the proposals and if necessary, schedules interviews with firms. Based on evaluations a consultant is selected.

**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?)**

PSRC's uses a standard contract for all consultants/contractors which was thoroughly reviewed by USDOT and FTA Region 10 representatives in December 2014 and includes Title VI requirements. It also requires consultants/contractors to include those requirements in all sub-contracting opportunities (see below). We also require all new consultants to complete a Title VI review form and attach their policy regarding non-discrimination.

*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. § 324 et seq.), (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 1986, (42 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, color, national origin, or sex);
- 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 of 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 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 1975, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

The Contractor shall include the above certification in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

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 a prime contractor/consultant).

None are certified DBE:

- 
- Contract 2022-01: \$90,000 (indirect)
- Contract 2022-02: \$40,000 (indirect)
- Contract 2022-03: \$230,000 (federal)
- Contract 2022-04: \$40,000 (state)

- Contract 2022-05: \$9,860 (local)
- Contract 2022-06: \$23,819 (federal)
- Contract 2022-07: \$66,755 (federal)
- Contract 2022-08: \$80,000 (indirect)
- Contract 2022-09: \$34,000 (federal)
- Contract 2022-10: \$90,740 (federal)
- Contract 2022-11: \$20,000 (federal)

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.

Title VI/Nondiscrimination: Background and Purpose of Civil Rights Act, (dot.gov), June 2022

Nondiscrimination Assurances (dot.gov), June 2022

Implementation Plan (dot.gov), June 2022

Compliance and Enforcement (dot.gov), June 2022

USDOJ Video explaining Limited English Proficiency (dot.gov), June 2022

Nondiscrimination Requirements on Construction Contracts (dot.gov), June 2022

ADA: Foundations of ADA (dot.gov), June 2022

ADA: Transition Plans (dot.gov), June 2022

ADA: Self-Evaluation Basics (dot.gov), June 2022

Disadvantaged Business Enterprise: Program Overview (dot.gov), June 2022

How to Better Serve Your LEP Audience by Meeting the Federal Requirements (FCC DOJ Civil Rights Division), June 2022

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.

Title VI videos/training were provided to staff in June 2022. The training videos were conducted by DOT FHWA and FTA. The subjects of the training were Title VI for Local Public Agencies (LPAs) and Civil Rights. Attendees included:

- Deputy Executive Director, White
- Director of Regional Planning, White
- Program Manager – Equity Policy and Initiatives, Black
- HR Manager Asian American
- Senior Accountant, White
- Senior Planner, White
- Senior Public Engagement Specialist, White
- Associate Planner, White

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



Nondiscrimination Requirements on Construction Contracts (dot.gov), June 2022

ADA: Foundations of ADA (dot.gov), June 2022

ADA: Transition Plans (dot.gov), June 2022

ADA: Self-Evaluation Basics (dot.gov), June 2022

Disadvantaged Business Enterprise: Program Overview (dot.gov), June 2022

The participants were:

- Deputy Executive Director, Title VI Coordinator
- Senior Public Engagement Specialist, Title VI Lead Specialist
- Director of Regional Planning, Planning & Programming Liaison
- Program Manager – Equity Policy and Initiatives
- HR Manager, Education and Training Liaison
- Senior Accountant
- Senior Planner, Environmental Affairs Liaison
- Associate Planner

Additionally, PSRC's staff committee formed to create internal learning opportunities for staff on equity, diversity and inclusion topics, provided the following all staff training sessions during the reporting period as follows:

Racial Inequities and how they impact our work (October 27, 2021)

Implicit bias: What it is, how it works, and what we can do to limit its impact (April 27, 2022)

Tribal Planning and Collaboration (June 21, 2022)

Finally, all new staff are required to participate in anti-discrimination and harassment training within the first 90 days of employment, with additional training required for supervisory staff. This fiscal year, all staff who have been employed more than 2 years were required to take these classes as part of a regular refresher.

## 15. 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.

In the upcoming year PSRC will continue work in developing the Regional Equity Strategy. The Strategy includes a suite of tools and resources used to guide PSRC's work in advancing racial equity and guidance for local jurisdictions in their work. As part of this work PSRC developed an Equity Advisory Committee (EAC), which serves as a cross-sector working group composed of residents as well as governmental and community-based organizations in the Puget Sound region representing BIPOC communities and other marginalized groups. The Committee co-creates products (e.g., data tools) for the Regional Equity Strategy and other agency projects with staff and the Executive Board as well as advises PSRC committees and policy boards on various policies and programs with an equity lens.

PSRC is implementing an action plan to develop the Regional Equity Strategy. This provides opportunity for all staff at the agency to be working towards shared goals on advancing racial equity in the region. These goals include the following:

- PSRC staff and board members will develop a deeper understanding of racial equity
- PSRC staff will reflect the diversity of the region we serve
- PSRC will ensure that BIPOC communities inform decision-making processes
- PSRC will center race in its work and use its various roles to advance racial equity
- PSRC will spend its resources to improve racial equity outcomes

One element of the action plan is to increase engagement by community members who have been historically excluded from planning processes. Staff are working to develop actions and strategies to fulfill this goal, as well as updates to the agency's Public Participation Plan.

Working with the Equity Advisory Committee, staff has begun an update to PSRC's Public Participation Plan, with planned extensive public outreach, board involvement. An updated Plan is scheduled for adoption in Spring 2023.

In the summer of 2022, PSRC held working sessions on racial equity for staff and elected officials in the region. These sessions focused on implicit bias and strategies the agency can implement to reduce its impact on future work. Future sessions will explore a variety of related topics, developing a shared language around racial equity to begin the process of equipping staff and board members with the skills necessary to successfully implement the equity related elements of VISION 2050, as well as other agency work.

In the coming fiscal year, PSRC will work to get greater demographic information from those participating in its meetings, whether held in-person, on-line or in a hybrid fashion.

Finally, PSRC is preparing to launch a fully redesigned agency website. As part of that work, PSRC has purchased a Business-level subscription to GTranslate. GTranslate allows website visitors to change the language of displayed text. The subscription also allows PSRC staff to directly edit text translations within specific pages. For example, if the translation displays an incorrect verb form or translates proper nouns, staff will be able to correct the translation. This service relies on Google Neural Machine Translation (GNMT), which uses an artificial neural network to increase the fluency and accuracy of Google Translate. Over time, automatic text translations will improve as Google Translate improves.

## **Attachments**

Appendix A. Signed Standard Assurances

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

### **Assurances**

#### **DOT Order No. 1050.2A**

The Puget Sound Regional Council (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 Puget Sound Regional Council, 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."

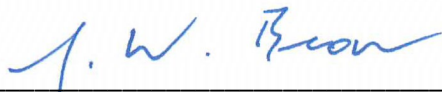
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting 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, the Puget Sound Regional Council 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 Puget Sound Regional Council 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 Puget Sound Regional Council. You must keep records, reports, and submit the material for review upon request to Puget Sound Regional Council, 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.

Puget Sound Regional Council 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.

Puget Sound Regional Council  
**(Name of Recipient)**

by   
**(Signature of Authorized Official)**

DATED: July 27, 2022

## 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 Puget Sound Regional Council 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 Puget Sound Regional Council 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 Puget Sound Regional Council 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 (Puget Sound Regional Council), its successors and assigns.

The Puget Sound Regional Council, 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 Puget Sound Regional Council 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 Puget Sound Regional Council 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, Puget Sound Regional Council 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 Puget Sound Regional Council 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 Puget Sound Regional Council) 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 ***Puget Sound Regional Council*** 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, Puget Sound Regional Council 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, Puget Sound Regional Council) will there upon revert to and vest in and become the absolute property of Puget Sound Regional Council 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).