



# Title VI Plan

**MAY 2023 – MAY 2026**

**ADOPTED OCTOBER 2004**

**UPDATED AUGUST 2006, MAY 2014, MAY 2017, MAY 2018, MAY 2020, FEBRUARY 2022, MAY 2023**

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## INTRODUCTION

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Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance. The Skagit Council of Governments (SCOG) is committed to ensuring that no person is excluded from participation in the Transportation Program, or denied the benefits of its services on the basis of race, color or national origin.

SCOG developed the first Title VI Plan in October 2004, one year after the designation of the Skagit Metropolitan Planning Organization (SMPO) by Governor Locke for the Mount Vernon Urbanized Area. SMPO was incorporated fully into SCOG in May 2014 through a governance agreement executed by SCOG's member jurisdictions. SCOG, which staffed SMPO since its designation, is responsible for complying with Title VI, including Environmental Justice and limited English proficiency requirements imposed by Executive Orders under President Clinton.

SCOG amended the Title VI Plan in August 2006 making a minor change to when annual reviews and reports would be conducted and submitted every year.

The May 2014, May 2017, May 2020 and February 2022 amendments to the Title VI Plan included many changes to the original 2004 Title VI Plan. The Title VI Plan has a three-year plan horizon and will expire - in May 2026, though it may be updated annually if the need arises prior to the expiration date. This May 2023 update to the Title VI Plan is a comprehensive update that incorporates feedback from the Washington State Department of Transportation (WSDOT) on the SCOG Title VI program, as well as making routine updates based on SCOG activities over the previous three-year period. The Title VI Plan meets both Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) requirements for a Title VI Plan.

Any references in this plan to the "reporting period" are for the three years leading up to the Title VI Plan update, May 2020–May 2023. This three-year reporting period is an FTA requirement to ensure Title VI requirements are being met. The FHWA requires that Title VI reports be submitted annually. All reports, and this plan, are submitted to WSDOT, from which SCOG receives federal funds as a sub-recipient. WSDOT, as the direct recipient of federal funds from FHWA and FTA, has Title VI oversight responsibilities over SCOG as a sub-recipient.

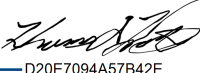
Because SCOG receives federal funds for its Transportation Program, all plans, programs and activities within the Transportation Program are subject to Title VI and its nondiscrimination requirements. Since SCOG indirectly receives funds from both FHWA and FTA, additional requirements apply to the Transportation Program than if funding was received from only one source or the other.

## BOARD APPROVAL

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The Skagit Council of Governments Transportation Policy Board approved this Title VI Plan at our regular meeting on May 17, 2023.

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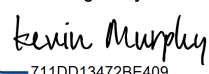
Chairman Tom Wooten, Samish Indian Nation  
Transportation Policy Board Chair

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Date

Attest:

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5/17/2023

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Kevin Murphy  
Executive Director

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Date



## TITLE VI POLICY STATEMENT

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

This policy applies to all operations of SCOG, including its contractors and anyone who acts on behalf of SCOG. This policy also applies to the operations of any department or agency to which SCOG 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 United States Code (USC) 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; and 28 CFR 50.3.

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Signed: \_\_\_\_\_  
Kevin Murphy  
Executive Director

5/17/2023

\_\_\_\_\_  
Date

## **AUTHORITIES**

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Title VI of the 1964 Civil Rights Act provides 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 receiving federal financial assistance.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

## **ADDITIONAL CITATIONS**

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; and 28 CFR 50.3.

## TITLE VI NOTICE TO THE PUBLIC

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The Skagit Council of Governments (SCOG) 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 program or other activity for which SCOG 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 SCOG. Any such complaint must be in writing and filed with the SCOG Title VI Coordinator within 180 calendar days following the date of the alleged discriminatory occurrence. Title VI complaint forms may be obtained at the SCOG office and on the SCOG website at no cost to the complainant.

A Title VI complaint may be filed with any of the following offices:

- Skagit Council of Governments  
Attn: Title VI Coordinator  
315 South Third Street, Suite 100  
Mount Vernon, Washington 98273  
Email: kmurphy@scog.net  
Phone: (360) 416-7871
- Washington State Department of Transportation  
Office of Equity and Civil Rights  
PO Box 47314  
Olympia, WA 98504-7314  
Email: oeoecrbcomplaints@wsdot.wa.gov  
Phone: (800) 259-9143
- Federal Highway Administration  
Office of Civil Rights  
8th Floor E81-105  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Email: CivilRights.FHWA@dot.gov
- Federal Transit Administration  
Office of Civil Rights  
Attn: Complaint Team  
East Building, 5<sup>th</sup> Floor - TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Email: FTACivilRightsCommunications@dot.gov

- United States Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington DC, 20530-0001  
Phone: (855) 856-1247

## **ABBREVIATED TITLE VI NOTICE TO THE PUBLIC**

The Skagit Council of Governments fully complies with Title VI of the federal Civil Rights Act of 1964 and related statutes, and does not discriminate on the basis of race, color or national origin. For more information, or to obtain a Title VI Complaint Form, visit SCOG's website at <http://scog.net/about/nondiscrimination/>.

## **LOCATIONS TITLE VI NOTICE TO THE PUBLIC POSTED**

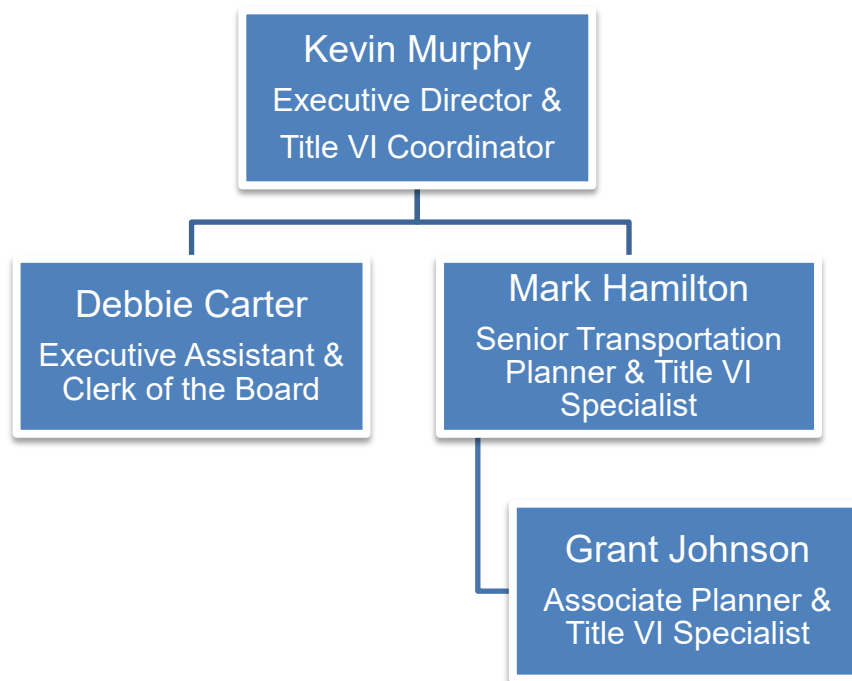
The following is a list of locations where the Title VI Notice to the Public or Abbreviated Title VI Notice to the Public is posted in English and Spanish:

- All SCOG public meeting agendas;
- SCOG's website; and
- SCOG offices located at 315 Third Street Suite 100, Mount Vernon, WA 98273.

## TITLE VI COORDINATION AND RESPONSIBILITIES

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### ORGANIZATIONAL CHART



### TITLE VI COORDINATOR

Kevin Murphy, the Executive Director of SCOG, is the agency's Title VI Coordinator. The Title VI Coordinator 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.

### RESPONSIBILITIES OF TITLE VI COORDINATOR

SCOG's Title VI Coordinator is responsible for coordinating the overall administration of the Title VI Program, Title VI Plan and Title VI Assurances. The Title VI Coordinator is also responsible for the day-to-day administration of the Title VI Program with assistance from either Title VI Specialist, if necessary.

SCOG's Title VI Coordinator responsibilities are as follows:

1. Process the disposition of Title VI complaints received by SCOG. Attempt to resolve complaints at the local or regional level informally.
2. Collect statistical data (race, color, and national origin) of participants in, and beneficiaries of, federally funded programs using a variety of sources, which include, but are not limited to, Office of Financial Management, U.S. Census data and Office of Superintendent of Public Instruction.
3. Review Environmental Impact Statements prepared by SCOG for Title VI and Environmental Justice compliance.

4. Conduct Title VI reviews of all consultant contractors and recipients of federal funds directly distributed by SCOG.
5. Assist the Washington State Department of Transportation in the distribution of information on training programs for SCOG employees regarding Title VI and related statutes. Organize and facilitate the provision of Title VI training sessions for consultants, contractors and subcontractors as necessary. WSDOT's Office of Equity and Civil Rights and the Contract Compliance Office may be asked to provide applicable training. A summary of trainings attended and or facilitated by SCOG will be reported in the annual report.
6. Prepare the Annual Title VI Goals and Accomplishments Report. Conduct annual Title VI reviews of Special Emphasis Program Areas to determine the effectiveness of program activities at all levels as part of the annual report. The annual report will be submitted to WSDOT in November of each year and will include Title VI goals for the upcoming reporting period.
7. Review and update the Title VI Plan as needed or required. Present updated plan to SCOG Transportation Policy Board for review and approval, and submit amended plan to WSDOT upon approval.
8. Disseminate Title VI Program information to SCOG employees, contractors, and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of the SCOG's Title VI Policy Statement in newspaper(s) having a general circulation, and informational brochures. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in Spanish.
9. Identify, investigate, and eliminate discrimination when found to exist in connection with any SCOG program.
10. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed 90 calendar days.
11. Title VI compliance reviews of consultants with SCOG will be conducted prior to final payment and project closeout. The reviews will determine the contractor's compliance with Title VI contractual provisions. Reviews are to be conducted on those sub-recipients that have already received SCOG federal funds.

## **ALLEGATIONS OF DISCRIMINATION**

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### **RECORD OF COMPLAINTS**

SCOG received one Title VI complaint alleging discrimination on the basis of race, color and/or national origin during the reporting period, in February 2023. The complaint was about another agency and had nothing to do with SCOG. In accordance with adopted complaint procedures, SCOG referred the complaint to the WSDOT Office of Equity and Civil Rights (OECR). SCOG has never been involved with any Title VI investigation or Title VI lawsuit.

### **COMPLAINT FORMS**

Title VI complaint forms are available at SCOG offices and on SCOG's website. The complaint form includes the complaint procedures below.

The complaint form can be accessed in English at:

<http://www.scog.net/TitleVI/SCOGTitleVIComplaintForm-English.pdf>.

In Spanish, the form can be accessed at:

<http://www.scog.net/TitleVI/SCOGTitleVIComplaintForm-Spanish.pdf>

### **COMPLAINT PROCEDURES**

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

Complaints related to federal-aid programs may be filed with SCOG and will be forwarded to the WSDOT Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, contact Kevin Murphy at (360) 416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net).

### **WHO IS ELIGIBLE TO FILE A COMPLAINT?**

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Skagit Council of Governments 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 in 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 Kevin Murphy at (360) 416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net), if you believe your complaint may fall outside this timeframe.

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, contact Kevin Murphy at (360) 416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net).

Complaints should be in writing, signed, and may be filed by mail, in person or email. If a complainant phones SCOG 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 to the mailing address and/or email address provided to SCOG.

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; and
- The status of the complaint.

The Complaint Log and associated complaint documentation will be retained by SCOG for a minimum of six years after the end of the calendar year in which the case is closed.

### **WHAT HAPPENS AFTER A COMPLAINT IS FILED?**

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

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.

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



There is no prohibition against a complainant filing a Title VI complaint simultaneously with SCOG, WSDOT, the Federal Highway Administration, the Federal Transit Administration and U.S. Department of Justice.

SCOG will not investigate a discrimination complaint against itself. Any complaint alleging discrimination by SCOG, which is received by SCOG, will be forwarded to the WSDOT Office of Equity and Civil Rights within 10 calendar days of receipt of allegation. SCOG will forward the complaint to:

- Washington State Department of Transportation  
Office of Equity and Civil Rights  
PO Box 47314  
Olympia, WA 98504  
Email: oeoecrbcomplaints@wsdot.wa.gov

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. A Title VI complaint may be filed with any of the following offices:

- Skagit Council of Governments  
Attn: Title VI Coordinator  
315 South Third Street, Suite 100  
Mount Vernon, Washington 98273  
Email: kmurphy@scog.net  
Phone: (360) 416-7871
- Washington State Department of Transportation  
Office of Equity and Civil Rights  
PO Box 47314  
Olympia, WA 98504-7314  
Email: oeoecrbcomplaints@wsdot.wa.gov  
Phone: (360) 705-7090
- Federal Highway Administration  
Office of Civil Rights  
8th Floor E81-105  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Email: CivilRights.FHWA@dot.gov
- Federal Transit Administration  
Office of Civil Rights  
Attn: Complaint Team  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Email: FTACivilRightsCommunications@dot.gov

- United States Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington DC, 20530-0001  
Phone: (855) 856-1247

## **SPECIAL EMPHASIS PROGRAM AREAS**

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### **PUBLIC PARTICIPATION PROGRAM**

A comprehensive, coordinated and continuous transportation planning process is used in Skagit County, which is the metropolitan planning area for SCOG. The planning process entails the monitoring and collection of varied data pertaining to transportation issues and incorporates input from the public.

Authorities: 23 CFR 450; RCW 47.06 - Statewide Transportation Planning; RCW 47.80 - Regional Transportation Planning Organizations

### **THE PAST THREE YEARS OF COMMUNITY OUTREACH, MAY 2020 – MAY 2023**

Community outreach is a requirement of Title VI. Recipients and sub-recipients of federal funds are required to seek out and consider the viewpoints of minority and low-income populations in the course of conducting public outreach. SCOG has engaged the public in its planning and decision-making processes, as well as its external communications and outreach activities.

#### ***Website – [scog.net](http://scog.net)***

SCOG's website is regularly updated with materials related to its Transportation Program. SCOG contracted with a web designer in 2018 to redesign the website for a new mobile-friendly theme. The theme includes Google translate capabilities in 10 common languages, identified through the Language section of the demographic profile.

There is a nondiscrimination webpage which includes SCOG's Title VI Notice to the Public and Title VI Complaint Form, along with many other webpages that describe SCOG activities and provide hyperlinks to SCOG documents. A blog feature is available at the homepage where events and SCOG activities are posted on a regular basis. Recent posts include upcoming meetings at SCOG, a request for qualifications, notice of a public comment period and proposed amendments to the regional transportation improvement program.

#### ***Email***

SCOG maintains several group email lists and sends email invites, often including meeting agendas, to various groups. Many of these groups are technical staff and elected officials. SCOG has an Interested Parties email group list and a Media group list whereby meeting notifications and other correspondence are regularly delivered.

#### ***Metropolitan and Regional Transportation Plan***

The Metropolitan and Regional Transportation Plan (MRTP) is a plan SCOG prepares every five years, engaging all members of the public. The MRTP acts as a blueprint for the region's transportation system for the next 25 years. As part of this effort, a public involvement plan was adopted and implemented during the reporting period to guide outreach during the planning process.

The MRTP is available on SCOG's website at:

<https://www.scog.net/MTP-RTP/2021/Skagit2045RTP-Amended.pdf>

Hard copies are available free-of-charge to the public at SCOG offices located at 315 South Third Street, Suite 100, Mount Vernon, WA 98273.

The MRTP and the public participation process leading up to its adoption were conducted during the three-year reporting period. The public involvement plan for the MRTP update called for certain public outreach materials to be made available in Spanish, and for Spanish interpretation services to be provided upon request. The public involvement plan also called for minority and low-income populations that are present in the region to be targeted for outreach as appropriate. Social media advertisements and the Skagit 2045 Regional Transportation Plan website, which became available to the public in September 2020, were created in both English and Spanish versions to facilitate public outreach. The MRTP was adopted as the Skagit 2045 Regional Transportation Plan on March 17, 2021.

An amendment to the MRTP was adopted on July 20, 2022. Prior to adoption, a 15-day public comment period was held with consideration of comments received, prior to action on the amendment.

### *Coordinated Public Transit-Human Services Transportation Plan*

The Coordinated Public Transit-Human Services Transportation Plan (HSTP) is prepared every four years and encompasses Skagit County. The HSTP update process included specific opportunities to advance special needs coordinated transportation across the region. Opportunity for public comment was provided prior to adoption of the HSTP. SCOG administers the planning process for the HSTP, including associated consultant contract(s), and coordinates with transit agencies and other providers of special needs transportation services on HSTP planning.

The HSTP is available on SCOG's website at:

[https://www.scog.net/HSTP/2022/2022\\_SCOG\\_CPT-HSTP\\_Final.pdf](https://www.scog.net/HSTP/2022/2022_SCOG_CPT-HSTP_Final.pdf).

Hard copies are available free-of-charge to the public at SCOG offices located at 315 South Third Street, Suite 100, Mount Vernon, WA 98273.

The HSTP and the public participation process leading up to its adoption were conducted during the three-year reporting period. The HSTP was adopted on November 16, 2022. The public engagement process is documented in Chapter 1 of the HSTP, and the Public Participation Plan and Online Open House survey results are contained in appendices B and C, respectively. The Skagit County Human Services Transportation Planning Online Open House became available to the public on July 11, 2022 and was accessible for public input all the way through adoption of the CPT-HSTP. Contacts during the planning processes included communications with Spanish-speaking persons, seniors, persons with disabilities, youth, veterans and homeless persons.

### *Skagit Travel Survey*

The Skagit Travel Survey is a household travel survey that was conducted from October to December, 2021. During the reporting period, invitations to participate in the survey were translated into Spanish and distributed to households in Skagit County, along with English invitations. A concerted effort was made in the survey to oversample certain groups – including low-income populations, limited English speakers and American Indian and Alaska Natives – to ensure survey response rates were representative of the entire Skagit County population.

### ***ADA Self-Evaluation and Program Access Plan***

SCOG completed an updated ADA Self Evaluation on April 21, 2022. The findings of the self-evaluation were incorporated into SCOG's ADA Self-Evaluation and Program Access Plan (ADA Plan), which was adopted by the Transportation Policy Board at their July 20, 2022 meeting. The ADA Plan outlines specific actions that SCOG will take to maintain compliance with Title II of the Americans with Disabilities and Section 504 of the Rehabilitation Act of 1973.

The ADA Plan available on SCOG's website at the following link:

[https://www.scog.net/ADA/ADA Self Evaluation and Program Access Plan - Final with Checklist.pdf](https://www.scog.net/ADA/ADA%20Self%20Evaluation%20and%20Program%20Access%20Plan%20-%20Final%20with%20Checklist.pdf)

As part of the self-evaluation process, SCOG staff presented the draft Self-Evaluation and Program Access Plan to the 2022 Skagit Special Needs Transportation Committee for review and recommendation to the SCOG Transportation Policy Board. The Special Needs Transportation Committee was an ad hoc committee comprised of a diverse group of stakeholders that represented special needs communities within the Skagit region. There was also a written public comment period from June 29–July 12, 2022, prior to adoption of the Self-Evaluation and Program Access Plan by the Transportation Policy Board on July 20, 2022. As part of the ADA compliance process, a Spanish language version of an ADA statement was created and posted both within the SCOG offices and on the SCOG website.

SCOG will update the Self-Evaluation and Program Access Plan every four years to coincide with the organization of the Special Needs Transportation Committee and adoption of the HSTP. These periodic updates will ensure that the plan remains current with regards to regulations, public input and SCOG facilities, programs, services and activities.

### ***Public Participation Plan***

SCOG has developed a comprehensive Public Participation Plan (PPP) which outlines the goals and objectives for public participation. The PPP includes procedures for engaging the public in SCOG decisions, including the mobility needs of minority populations.

The PPP is available on SCOG's website at:

[https://www.scog.net/PPP/2017\\_PPP.pdf](https://www.scog.net/PPP/2017_PPP.pdf).

Hard copies are available free-of-charge to the public at SCOG offices located at 315 South Third Street, Suite 100, Mount Vernon, WA 98273.

The PPP was last updated August 2017, and it is anticipated that there will be a minor update of the plan sometime during the next reporting period. The public engagement strategy is described on Page 3–5 of the PPP. A section on limited English proficiency is included on Page 12 and a section on Environmental Justice is included on Page 13. Procedures, tools, and techniques for public participation – including outreach to minority, low-income and limited English proficient populations – are included on Page 14–20 of the PPP.

### ***Board and Committee Meetings***

All regular and subcommittee meetings of SCOG governing bodies are open to the public. SCOG includes public comment periods at regular meetings and offers different avenues for comment including written, oral, formal, informal and electronic. SCOG meetings are generally held in a hybrid virtual/in-person

format, with the in-person portions in ADA accessible locations, and efforts are made to ensure that meetings are accessible to those who rely on public transportation. Interpretation services are available for regular SCOG governing body meetings, which are held every month with the location and date of the next meeting posted one month in advance.

SCOG facilitates several standing committee meetings that are advisory in nature. One of these is a bicycle and pedestrian committee, and another is a technical advisory committee made of primarily of public works staffs that recommends decisions on transportation planning, funding for projects and programming. SCOG also has another committee that is not part of the Transportation Program, a Growth Management Act technical advisory committee. All committee meetings at SCOG are open to the public.

SCOG does not have any standing committees with non-elected members that are solely public transportation oriented but did have one ad hoc committee that was transit related, the Special Needs Transportation Committee, in 2022. This committee met monthly from May-December 2022 and helped with updating the HSTP and prioritizing human services transportation projects, as well as providing feedback on SCOG's ADA Self-Evaluation and Program Access Plan which was adopted in July 2022. Racial and ethnic information was collected from this committee in accordance with Federal Transit Administration requirements, and is reported in Table 1. Special Needs Transportation Committee members were specially invited to participate based on their role as stakeholders and service providers in special needs transportation; as such, committee members worked closely with, or represented, low-income, senior and disabled populations.

**Table 1. Racial and Ethnic Information for Members of Non-Elected Committees at SCOG**

	Committee Responses	US Decennial Census
Race	2022	2020
American Indian and Alaska Native	38%	2.2%
Asian	0%	2.2%
Black or African American	0%	0.7%
Hawaiian and Other Pacific Islander	0	0.3%
White	54%	74.5%
Other Race or Two or More Races	8%	20%
Ethnicity		
Hispanic or Latino	33%	18.4%
Not Hispanic or Latino	67%	81.6%

Note: Some committee members' racial or ethnicity responses were incomplete.

SCOG held or facilitated over 100 meetings in the reporting period including workshops, study sessions and open houses. Every regular governing body meeting of SCOG has a public comment period and members of the public sometimes attend advisory committee meetings as well.

### **SPECIFIC TITLE VI COORDINATOR RESPONSIBILITIES:**

- Ensure that all aspects of the Public Participation Program comply with Title VI.
- Sending out and/or posting notices for public meetings, open houses and projects through mail, media (local papers including papers that are specific to certain communities when available) and the SCOG website, at least seven calendar days prior to the event.
- Encouraging affected communities through solicitation of ideas, suggestions, and concerns using various forums such as meetings and open houses where comment forms are available. The SCOG website is also available for comments.

### **CONSULTANT CONTRACTS PROGRAM**

SCOG periodically is responsible for the selection, negotiation and administration of consultant contracts. Selection is generally made by a consultant selection committee, which is established for each major project. The committee is typically composed of SCOG staff members, technical staff from local areas, and staff from affected agencies.

Authorities/Guidance: WSDOT Consultant Services Procedural Manual (M 27-50); 48 CFR 31; 23 CFR 172; RCW 39.29; RCW 39.80

### **SPECIFIC TITLE VI COORDINATOR RESPONSIBILITIES:**

- Monitor Disadvantage Business Enterprise (DBE) program requirements and seek to actively achieve WSDOT DBE program goals.
- Ensure that all federally funded consultant contracts have the appropriate Title VI provisions included.
- Distribute the Title VI Contractor Compliance Checklist to each consultant that contracts directly with SCOG, utilizing Federal Highway Administration and/or Federal Transit Administration funds in the contract; review checklist for compliance prior to final payment and project closeout.
- Review directives and procedures to ensure Title VI compliance.
- Maintain necessary data and documentation required for completion of the annual Title VI Accomplishments & Goals Report.

### **SUB-RECIPIENT REVIEW AND REMEDIAL ACTION PROCEDURES**

SCOG will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all administrative program requirements, both within SCOG and with SCOG's sub-recipients. If irregularities occur in the administration of the Transportation Program's operation, corrective action will be taken to resolve Title VI issues. When conducting Title VI compliance reviews on sub-recipients, SCOG will reduce to writing a remedial action when agreed upon by SCOG and WSDOT to be necessary, all within a period not to exceed 90 calendar days.

SCOG will seek the cooperation of sub-recipients in correcting deficiencies found during the review. SCOG will also provide the technical assistance and guidance needed to aid the sub-recipients to comply



voluntarily. Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 calendar days after receipt of the deficiency letter, to voluntarily correct deficiencies.

If a sub-recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, SCOG will submit to WSDOT and Federal Highway Administration/Federal Transit Administration two copies of the case file and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted within 180 calendar days of the initial review to ensure that the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, SCOG may, with WSDOT, FHWA's/FTA's concurrence, initiate sanctions per 49 CFR 21.

## ENVIRONMENTAL JUSTICE PROGRAM

SCOG seeks to identify and address disproportionately high and adverse effects of programs, policies and activities on minority populations and low-income populations across Skagit County. To identify these populations, and those of seniors, persons with disabilities, and persons with limited English proficiency; SCOG analyzed available data and published a demographic profile in April 2023. The demographic profile is updated every three years and uses data from the 2020 decennial Census, American Community Survey and State of Washington's Office of Superintendent of Public Instruction to ascertain locations of these populations of concern. A series of maps are included in the demographic profile showing minority populations and low-income populations at Census block and Census tract geographies.

The demographic profile is contained within **Appendix 4** of this Plan, and is also available on SCOG's website at:

[https://www.scog.net/Demographics/2023\\_Skagit\\_County\\_Demographic\\_Profile.pdf](https://www.scog.net/Demographics/2023_Skagit_County_Demographic_Profile.pdf).

Hard copies are available free-of-charge to the public at SCOG offices located at 315 South Third Street, Suite 100, Mount Vernon, WA 98273.

In April 2023, SCOG also completed an Environmental Justice and Title VI assessment of all funds selected for award through the Surface Transportation Block Grant Program from April 2020–March 2023 through SCOG competitive selection processes for transportation projects in Skagit County. The assessment is updated every three years and includes maps of minority populations and low-income populations, as well as an analysis of the impacts of transportation funding decisions on these protected populations. A Title VI assessment analyzes the specific impacts of federal funds going to projects selected by SCOG for public transportation purposes. The findings of the assessment indicate that SCOG decisions on funding transportation projects in Skagit County are not having a disproportionately high and adverse impact on minority and low-income populations.

The assessment is contained within **Appendix 5** of this Plan, and is also available on SCOG's website at:

[https://www.scog.net/Demographics/2020-2023\\_EJAnalysis\\_SCOGFedFundedProjects\\_Draft.pdf](https://www.scog.net/Demographics/2020-2023_EJAnalysis_SCOGFedFundedProjects_Draft.pdf)

Hard copies are available free-of-charge to the public at SCOG offices located at 315 South Third Street, Suite 100, Mount Vernon, WA 98273.

Authorities/Guidance: Executive Order 12898 on Environmental Justice; USDOT Order 5610.2(a); FHWA Order 6640.23A; FTA Circulars C 4703.1 and C 4702.1B.



## **SPECIFIC TITLE VI COORDINATOR RESPONSIBILITIES:**

- Ensure that minority populations and low-income populations are included and have access to public meetings, open houses and projects whenever possible. Events will be held at facilities that will allow for and accommodate the needs of those physically challenged and will be accessible by public transportation whenever possible.
- Ensure that participation of a cross section of various social, economic, racial and ethnic interest groups are represented in the planning process by disseminating Transportation Program information to minority media and related organizations.
- Ensure equal opportunity for participation on transit-related advisory committees regardless of racial, ethnic or economic status.
- Update the demographic profile for Skagit County every three years.
- Ensure that Environmental Justice principles and practices are incorporated into transportation plans, programs, policies and activities of SCOG.

## **LANGUAGE ASSISTANCE PROGRAM**

SCOG is committed to breaking down language barriers by implementing consistent standards of language assistance across its service area.

The United States is home to millions of national origin minority individuals who have limited English proficiency (LEP). That is, their primary language is not English and they cannot speak, read, write or understand the English language at a level that permits them to interact effectively with recipients of federal financial assistance.

Because of language differences and the inability to effectively speak or understand English, persons with LEP may be subject to exclusion from programs or activities, experience delays or denials of services. These individuals may be entitled to language assistance with respect to a particular type of service. The federal government and those receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information those entities provide. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
2. The frequency with which LEP individuals come in contact with the program;
3. The nature and importance of the program, activity, or service provided by the program to people's lives; and
4. The resources available to the grantee/recipient or agency, and costs.

Authorities/Guidance: Executive Order 13166 on limited English proficiency; Department of Justice Guidance in Federal Register Vol. 67, No. 117 (2002) and Vol. 70, No. 239 (2005); FTA Circular C 4702.1B

## FOUR FACTOR ANALYSIS

### *Factor No. 1: The proportion of LEP persons in Skagit County*

SCOG member jurisdictions cover Skagit County, which are largely English speaking. The vast majority of the population with which SCOG interacts is English speaking.

SCOG uses one and five-year estimates provided by the American Community Survey to ascertain persons with limited English proficiency. The latest estimates available at the time SCOG's demographic profile was completed were the 2021 estimates and the 2017–2021 estimates, tables C16004 and C16001, respectively. The 2021 estimates indicated that 8,874 persons had limited English proficiency in Skagit County out of 123,675 for persons over the age of 5. This equates to an LEP population of 7.2%.

For those who speak English less than “very well”, Spanish or Spanish Creole speaking in households represents 5.2% of the population in Skagit County, according to 2017–2021 ACS estimates. All languages, other than English, in households that speak English less than “very well” total 6.2% of the population in Skagit County, according to these ACS data. No other language besides Spanish or Spanish Creole currently meets the Safe Harbor threshold of 5% of the population or 1,000 total LEP speakers. This Safe Harbor provision describes circumstances which provide a “safe harbor” for federal recipients in terms of requirements for the written translation of vital documents for LEP populations. Examples of documents that SCOG considers vital are:

- Title VI and ADA Notices to the Public;
- Title VI and ADA Complaint Forms;
- Title VI and ADA Complaint Procedures;
- Public outreach materials expected to reach a Spanish-speaking audience that may not speak English very well, such as the 2021 invitation to participate in the Skagit Travel Survey;
- Webpages of SCOG's website that include materials translated into Spanish; and
- Executive summaries and/or introduction sections of major planning documents, where applicable, such as the Metropolitan and Regional Transportation Plan, Public Participation Plan, Title VI Plan and ADA Self-Evaluation and Program Access Plan.

The above list of vital documents are examples and not all-inclusive. SCOG may determine that other documents are considered vital if they are deemed critical to LEP individuals' participation in SCOG's Transportation Program, or are required by law. Determination of what is considered a vital document will often depend upon the outreach being conducted and an assessment of languages likely to be spoken in households of targeted areas, which can be informed by the Census data analyzed in SCOG's demographic profile. According to the Safe Harbor Provision, if recipients provide written translation of vital documents for language groups that meet or exceed the threshold, recipients will be considered to have “strong evidence of compliance” with LEP obligations. Language tables with ACS data are on Page 39-40 of SCOG's demographic profile.

***Factor No. 2: The frequency with which LEP individuals come into contact with SCOG's Transportation Program***

SCOG infrequently comes into contact with LEP individuals. Because of the nature of SCOG's work as a planning organization and regional agency, SCOG is most likely to encounter LEP individuals through participation in public meetings and customer service interactions.

SCOG public meetings occur every month with locations varying around Skagit County, though most are held in Burlington and Mount Vernon. Public hearings, open houses and other opportunities for public input occur as needed to implement the Transportation Program.

Customer service interactions occur on a daily basis. Most interactions are with English-speaking staff and elected officials of member jurisdictions of SCOG. Communications with the general public typically occur via telephone, email or in-person. During the three-year reporting period, there were no customer service interactions between Spanish speaking persons who seemed to speak English less than very well and SCOG staff.

During one reporting period planning process, the update to the Metropolitan and Regional Transportation Plan, there were several survey responses from Spanish-speakers who seemed to speak English less than very well. Input from these Spanish-speakers was recorded and informed the MRTP's development. The Skagit Travel Survey was conducted during the reporting period, and several Spanish language responses were received and included in the final report of survey findings.

***Factor No. 3: The nature and importance of the Transportation Program provided by SCOG***

SCOG conducts a regional transportation planning process in Skagit County which is cooperative, coordinated and consistent. Persons living in Skagit County are likely to be affected or potentially affected by regional transportation projects for which SCOG has a lead role in planning and programming. SCOG also has a role in selecting transportation projects to receive certain federal funds within Skagit County.

Four significant planning processes occurred during the reporting period of this Title VI plan: (1) an update to the Metropolitan and Regional Transportation Plan; (2) an update to the Coordinated Public Transit-Human Services Transportation Plan; (3) adoption of the ADA Self-Evaluation and Program Access Plan; and (4) the Skagit Travel Survey. Being regional in nature, each planning effort was impactful to persons throughout Skagit County, including those with limited English proficiency.

***Factor No. 4. The resources available to SCOG and costs to assure meaningful access to the Transportation Program by LEP persons***

SCOG is a small metropolitan planning organization (MPO) with three full-time employees and one part-time employee, while the metropolitan planning area of the MPO includes a population of almost 130,000. The small size of the MPO staff and limited budget provides limited opportunities to provide language assistance services.

All employees of SCOG speak only English, but interpretation services and Spanish translation services of written material can be provided if requested. If these translation services are requested, SCOG will consider contracting with Skagit County's court system, local interpreter services or seek out assistance from community organizations that provide interpreter services. Any and all contracts would have to adhere to SCOG procurement policies.

The SCOG website has a function whereby content can be translated into a number of languages other than English, including Spanish, the second most common language in Skagit County. SCOG always seeks to apply technological advances, such as the free language translation service available on the website, to provide meaningful access for those with limited English proficiency to the services that SCOG offers, so that persons are not discriminated against on the basis of national origin and inability to speak English. SCOG notifies the public of future meetings by posting on its website.

SCOG provided some translation services during the reporting period, translating several documents and website information into Spanish. Examples of translated documents during the reporting period include: Title VI Notice to the Public; ADA Notice to the Public; Title VI Complaint Form; and ADA Complaint Form. Costs were generally \$200-\$300 each time translation was needed, and translations were conducted by a local business that specializes in translation and interpretation services. SCOG proactively translated these documents but received no requests for translations nor interpretations during the three-year reporting period. As of February 2020, SCOG has had the ability to provide interpretation services as needed over the phone through Language Link, though has not needed to use this service during the reporting period. No requests for interpretation were made to SCOG during the reporting period.

### **SPECIFIC TITLE VI COORDINATOR RESPONSIBILITIES:**

- Send out mailings and/or post notices to the SCOG website and in specific local print media, regarding LEP affected communities utilizing Spanish when necessary, at least seven calendar days prior to the event.
- Print and disseminate training materials for staff, including language identification charts at the main entrance to the SCOG office.
- Print and disseminate materials for a specific project translated into Spanish when necessary. Provide Spanish translation of executive summaries of planning documents – including the MRTP, PPP and HSTP – as practicable.
- Seek out and work with community-based organizations that will reach LEP communities, to include civic representatives specific to LEP communities, economic development associations, chambers of commerce, etc.
- Maintain records of attendance of minority and low-income populations, as practicable, at public involvement forums and records of direct comments at public meetings and open houses.
- Review the Language Assistance Program annually, including any contacts with LEP persons, to determine the frequency of contacts, the language used, and how the contacts were handled.

### **ENVIRONMENTAL STUDIES**

SCOG may periodically undertake environmental studies, which may include a systematic process to study and evaluate all necessary environmental aspects of a proposed project, including social and economic issues. A National Environmental Policy Act (NEPA) and/or State Environmental Policy Act (SEPA) environmental review may be completed, depending upon the scope, complexities and impacts of the proposed project.

Authorities/Guidance: Executive Order 12898 on Environmental Justice; 49 CFR 622, 640, 712, 771 and 790; RCW 43.21C

### **SPECIFIC TITLE VI COORDINATOR RESPONSIBILITIES:**

- Ensure that all aspects of the environmental review process comply with Title VI.
- Conduct meetings to review project impact.
- Disseminate to the public their rights to call or write the agency to review plans and discuss environmental issues.
- Coordinate the gathering of environmental information for the Title VI Accomplishments & Goals Report, including awards to Disadvantage Business Enterprises (DBE) firms.
- Notify and make accessible to affected protected populations any public hearings or meetings regarding a proposed project.
- Develop mechanisms to identify populations affected by a project.
- Ensure Title VI and Environmental Justice compliance in all environmental studies prepared by SCOG.

### **EDUCATION, TRAINING AND DATA COLLECTION**

Every SCOG employee is encouraged to participate in professional development and training. In keeping with SCOG's policy of nondiscrimination, all employees have equal access to applicable educational and training opportunities. SCOG 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.

Authorities/Guidance: SCOG Personnel Handbook

### **SPECIFIC TITLE VI COORDINATOR RESPONSIBILITIES:**

- Ensures that all SCOG employees have equal access to training.
- Notify staff of training opportunities offered through WSDOT's Office of Equity and Civil Rights.
- Facilitate the provision of training sessions for consultants, contractors, and subcontractors periodically.
- Maintain program administration documentation and data necessary for preparation of the Title VI Accomplishments & Goals Report.

## **APPENDIX 1: TITLE VI/NON-DISCRIMINATION ASSURANCES**

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

### **STATUTORY/REGULATORY AUTHORITIES**

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

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

### **GENERAL ASSURANCES**

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the Washington State Department of Transportation.*

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

### **SPECIFIC ASSURANCES**

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all

Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

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

The Skagit Council of Governments 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.

Kevin Murphy, Executive Director

Skagit Council of Governments

by \_\_\_\_\_  
(Signature of Authorized Official)

DATED \_\_\_\_\_



## APPENDIX A

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

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

with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Skagit Council of Governments will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Washington State Department of Transportation, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Skagit Council of Governments 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 the Skagit Council of Governments and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Skagit Council of Governments, its successors and assigns.

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

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

## APPENDIX C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Skagit Council of Governments 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, the Skagit Council of Governments will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Skagit Council of Governments will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Skagit Council of Governments 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 the Skagit Council of Governments 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, the Skagit Council of Governments 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, the Skagit Council of Governments will there upon revert to and vest in and become the absolute property of the Skagit Council of Governments 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).

## APPENDIX 2: PUBLIC INVOLVEMENT

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### INTRODUCTION

As a part of the 2023 update to the Title VI Plan, SCOG conducted a community stakeholder focus group on March 30, 2023 with representatives from identified Title VI and Environmental Justice communities. Public involvement in the development of the Title VI Plan helps to ensure that the community is aware of the planning process, has an opportunity to provide input, and that actions taken by SCOG to ensure nondiscrimination reflect identified needs and concerns from the community. Participants in the focus group consisted of representatives from the following community stakeholders:

- Community Action of Skagit County
- Skagit County Health Department
- Samish Indian Nation
- Skagit Transit

Focus group questions sought to generate dialogue and elicit input on public engagement strategies and mechanisms, as well as general transportation needs and barriers. Barriers to transportation reflect “adverse effects” as identified in FHWA Order 6640.23A, and input received may help SCOG to accurately identify benefits and burdens of the transportation program in Environmental Justice analyses.

### RESPONSES FROM COMMUNITY STAKEHOLDERS

#### *Transportation Needs*

Focus group members were asked a selection of questions about transportation needs within the Skagit region.

1. Are you aware of any unmet needs for transportation, either public transit or other modes, within Skagit County that are major concerns or specific to the community you serve? Are you aware of any specific burdens or barriers your community faces when it comes to transportation?
  - Working families with young children often have difficulties when they rely upon public transportation and childcare is in a different location than their workplace. Also, the lack of car seats in available transportation options is an additional barrier to use of many forms of transportation.
  - There are many indigenous languages spoken by the migrant population in the Skagit region that are only verbal and do not have a written component. This is an often-overlooked language barrier that can make it difficult for people to find out about transportation options.
  - Citizens and the criminal justice system are both being impacted because people are being jailed because they miss court hearings due to lack of transportation from underserved areas to the courthouse.
  - Medicaid transportation does not work as intended which causes many people to miss their appointments.
  - Disabled veteran transportation is increasingly having issues because it relies on an aging volunteer driver force.



- Insurance and liability considerations are preventing many government and non-profit organizations from giving rides to those in need of transportation.
  - Migrant populations are difficult to service with fixed-route public transit.
  - The Samish Indian Nation is building cottage housing that is targeted to elder and disabled population, but it is a mile from the nearest transit stop. The tribe will need to provide access to services for the future residents.
  - Transportation back home from the hospital is often needed at odd hours, and it makes getting back home difficult for those without access to reliable transportation.
2. How does the availability of transportation options and/or transit access affect your community?
- People who shouldn't be driving are often driving because they have no other alternative. Examples of this being poor eyesight and not having a driver's license.
  - Lack of reliable transportation impacts access to care. Not only are individuals affected when they can't access needed services, but service providers are impacted as well, especially medical providers, who end up with many missed appointments.
  - People are being forced to move from locations where they want to live, or where it is affordable for them to live so that they can be closer to services.
  - Tribal members are being impacted by lack of reliable transportation to services located on tribal properties.
  - The post-covid shift back to in-person services is starting to create difficulties accessing those services for people without reliable transportation.
3. What would improve transportation in Skagit County for your community?
- A safe bicycle highway, especially with the increase in electric bicycle usage.
  - Establishment of a Rapid Transit service.
  - More interconnection between different modes of transportation.
  - More opportunities for on-demand transportation, as they are often the most cost effective and convenient option.
  - Creation of a centralized information source on the variety of transportation options available within the region.
  - A reservable transportation service to Seattle area hospitals.

4. Do you have any suggestions for how to evaluate and prioritize all projects that may be submitted to SCOG and WSDOT by Skagit County organizations, on the basis of benefits and burdens to your community?
  - Attempt to have people with lived experience helping to evaluate and prioritize projects.
  - Establish a methodology to estimate the overall benefits of projects.
  - Make a determination as to whether it is better to prioritize expansion of existing services as opposed to creating services for new populations.
  - Consider factors such as geography and limited English proficiency in evaluation processes.
  - Make the connection between land use/development patterns and transportation, by prioritizing reduction in Vehicle Miles Travelled and walkability to services from drop off points.

### *Inclusion and Engagement*

Focus group members were asked a selection of questions about inclusion and engagement within the Skagit region.

5. What are some strategies you recommend for communicating effectively with members of your community that have limited English proficiency?
  - Translate materials into multiple languages.
  - Contract with translation services.
  - Hire staff that can speak multiple languages.
  - Use social media and videos in multiple languages.
  - Attend community events as they are frequently attended by LEP populations.
  - Use English as a Second Language (ESL) classes to reach out to LEP communities.
6. Are you aware of any barriers your community faces to full participation in local government and decision making?
  - Many members of the community do not feel as if public meetings are authentic.
  - Public meetings shouldn't be scheduled at inconvenient times for the public, such as during the workday.
  - Public comment on a large report or plan is often difficult for the average member of the public. It would be better to have targeted outreach with specific questions.
  - Recognize that a certain segment of the population will never be comfortable with virtual engagement for a variety of reasons.

7. How does your organization spread the word about resources and opportunities to your community?
  - Establishing resource centers in geographically dispersed locations throughout the region to make access easier without reliable transportation.
  - Creating coalitions and committees that have a wide variety of stakeholders and connections.
  - Using social media to spread information into the community.
  - Attending community events to engage the public.
  - Targeting outreach to community groups.
  - Creating a staff position specifically for community outreach.
  - Maintaining a website and publishing a newsletter.
8. How do you think SCOG can ensure that we are inclusive of your community in our plans and programs?
  - Include representatives from many different groups in advisory committees that help with the planning process.
  - Create a citizen advisory committee to provide input on SCOG plans and programs.
  - Conduct more outreach via focus groups, maybe on an annual basis.
  - Recognize that many people are visual in their engagement and learning and use whiteboards and other visual aids when conducting outreach.
9. How would you recommend that SCOG reach out in the future to engage with your community?
  - Use social media to reach out to the community.
  - Build connections with community coalitions.
  - Partner outreach with education. Instead of directly asking for feedback, first educate the population targeted for outreach on the subject and then ask questions.

**APPENDIX 3: TITLE VI COMPLAINT FORMS**

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**Federally Funded  
Transportation  
Program**

**US CIVIL RIGHTS ACT of 1964  
TITLE VI COMPLAINT FORM**

## TITLE VI COMPLAINT FORM

To submit a Title VI complaint to the Skagit Council of Governments, fill out this form and mail it to:

- Skagit Council of Governments  
Attn: Title VI Coordinator  
315 South Third Street, Suite 100  
Mount Vernon, WA 98273

Alternatively, this form can be emailed to [kmurphy@scog.net](mailto:kmurphy@scog.net). This form can also be filed with the agencies that appear on the last page.

If you have questions about this complaint form or compliant procedures, need Title VI translation services, or other assistance related to a Title VI compliant contact Kevin Murphy at (360) 416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net).

### COMPLAINT INFORMATION

1. Complainant Name (*please print*):
2. Phone number:
3. Email:
4. Best time of day to contact you about this complaint:
5. Home address (*address number, street, city, state, zip code*):
6. Discrimination alleged because of: ☐ Race ☐ Color ☐ National origin
7. Date of alleged incident:
8. Who discriminated against you?

Name:

Name of Organization:

Address:

Phone number:

Email:

9. 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.)
10. 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.
11. List any other persons that we should contact for additional information in support of your complaint. Please list their names, phone numbers, addresses and email addresses below.
12. Have you filed your complaint, grievance, or lawsuit with any other agency or court?
- |   |                   |
|---|-------------------|
| Which agency or court:                  | Filing date:      |
| Status (pending, resolved, etc.):       | Result, if known: |
| Complaint number, if known:             |                   |
| Do you have an attorney in this matter? |                   |

---

Complainant Signature

---

Date

## **COMPLAINT PROCEDURES**

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

Complaints related to federal-aid programs may be filed with SCOG and will be forwarded to the Washington State Department of Transportation – Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, contact Kevin Murphy at (360) 416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net).

### **Who is eligible to file a complaint?**

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Skagit Council of Governments 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 in 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 Kevin Murphy at (360) 416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net), 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 Kevin Murphy at (360) 416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net).

Complaints should be in writing, signed, and may be filed by mail, in person or email. If a complainant phones SCOG 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 to the mailing address and/or email address provided to SCOG.

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; and
- The status of the complaint.

The Complaint Log and associated complaint documentation will be retained by SCOG for a minimum of six years after the end of the calendar year in which the case is closed.

### **What happens after a complaint is filed?**

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

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.

Federal agencies will render final decisions in all cases, including those investigated by the Washington State Department of Transportation (WSDOT). There are no administrative appeal forums in Title VI complaints. Once a federal agency issues its final agency decision, a complaint is closed.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with SCOG, WSDOT, the Federal Highway Administration, the Federal Transit Administration and US Department of Justice.

SCOG will not investigate a discrimination complaint against itself. Any complaint alleging discrimination by SCOG, which is received by SCOG, will be forwarded to the WSDOT Office of Equity and Civil Rights within 10 calendar days of receipt of allegation. SCOG will forward the complaint to:

- Washington State Department of Transportation  
Office of Equity and Civil Rights  
PO Box 47314



Olympia, WA 98504

Email: [oeoecrbcomplaints@wsdot.wa.gov](mailto:oeoecrbcomplaints@wsdot.wa.gov)

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. A Title VI complaint may be filed with any of the following offices:

- Skagit Council of Governments  
Attn: Title VI Coordinator  
315 South Third Street, Suite 100  
Mount Vernon, Washington 98273  
Email: [kmurphy@scog.net](mailto:kmurphy@scog.net)  
Phone: (360) 416-7871
- Washington State Department of Transportation  
Office of Equity and Civil Rights  
PO Box 47314  
Olympia, WA 98504-7314  
Email: [oeoecrbcomplaints@wsdot.wa.gov](mailto:oeoecrbcomplaints@wsdot.wa.gov)  
Phone: (800) 259-9143
- Federal Highway Administration  
Office of Civil Rights  
8th Floor E81-105  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Email: [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)
- Federal Transit Administration  
Office of Civil Rights  
Attn: Complaint Team  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Email: [FTACivilRightsCommunications@dot.gov](mailto:FTACivilRightsCommunications@dot.gov)
- United States Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington DC, 20530-0001  
Phone: (855) 856-1247



**Programa de transporte  
financiado con fondos federales**

**LEY DE DERECHOS CIVILES DE EE. UU.  
de 1964  
Formulario de queja en virtud del Título VI**

## **FORMULARIO DE QUEJA EN VIRTUD DEL TÍTULO VI**

Para someter una queja en virtud del Título VI ante el Consejo de gobiernos de Skagit, llene este formulario y envíelo por correo a:

- Skagit Council of Governments  
Attn: Title VI Coordinator  
315 South Third Street, Suite 100  
Mount Vernon, WA 98273

De manera alternativa, puede enviar este formulario por correo electrónico a [kmurphy@scog.net](mailto:kmurphy@scog.net). Este formulario también puede presentarse en las agencias que aparecen en la última página.

Si tiene cualquier pregunta sobre este formulario de queja o sobre los procedimientos de quejas, si necesita servicios de traducción para el Título VI, o cualquier asistencia concerniente a una queja en virtud del Título VI, comuníquese con Kevin Murphy al (360) 416-7871 o en [kmurphy@scog.net](mailto:kmurphy@scog.net).

### **INFORMACIÓN DE LA QUEJA**

1. Nombre del demandante (*por favor escriba en molde*):
2. Número de teléfono:
3. Correo electrónico:
4. Mejor hora del día para contactarle en relación con esta queja:
5. Domicilio (*número de domicilio, calle, ciudad, estado, código postal*):
6. Discriminación alegada por: ☐ Raza ☐ Color ☐ Origen nacional
7. Fecha del supuesto incidente:
8. ¿Quién le discriminó?  
Nombre:  
Nombre de la organización:  
Dirección:  
Número de teléfono:

Correo electrónico:

9. Explique qué sucedió, por qué usted cree que sucedió, y cómo fue que se le discriminó. Indique quién estuvo involucrado. Asegúrese de incluir cómo otras personas fueron tratadas de forma diferente a usted. Si tiene cualquier otra información sobre lo que sucedió, por favor anexe documentación de apoyo al formulario. (Anexe páginas adicionales en caso de necesitar más espacio.)
10. ¿Qué solución está buscando por la supuesta discriminación? Tenga en cuenta que este proceso no resultará en el pago de daños punitivos ni compensación económica.
11. Indique otras personas con las que deberíamos comunicarnos para obtener información adicional en apoyo de su queja. Por favor indique a continuación sus nombres, números de teléfono, domicilios y direcciones de correo electrónico.
12. ¿Ha presentado su queja, reclamo, o demanda ante cualquier otra agencia o tribunal?  
Cuál agencia o tribunal: Fecha de presentación:  
Estatus (pendiente, resuelto, etc.): De conocerlo, indique el resultado:  
De conocerlo, indique el número de queja:  
¿Tiene un abogado trabajando en este asunto?

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Firma del demandante

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Fecha

## PROCEDIMIENTOS DE QUEJA

La ley federal prohíbe la discriminación sobre la base de raza, color u origen nacional en cualquier programa, servicio o actividad del Consejo de gobiernos de Skagit. Esta prohibición aplica a los contratistas del SCOG, consultores, o cualquier otra persona que actúe de parte del SCOG.

Las quejas relacionadas con programas de ayuda federal se pueden presentar ante el SCOG, para luego remitirse al Departamento de transporte del estado de Washington - Oficina de igualdad de oportunidades. Si necesita asistencia para presentar su queja o si necesita servicios de interpretación, comuníquese con Kevin Murphy al (360) 416-7871 o en [kmurphy@scog.net](mailto:kmurphy@scog.net).

### ¿Quien cumple los requisitos para presentar una queja?

Cualquier persona que crea que le han excluido de alguna participación, que se le hayan negado beneficios, o que de alguna manera hay sido sometida a discriminación bajo cualquier programa, servicio o actividad del Consejo de gobiernos de Skagit por causa de su raza, color u origen nacional, puede presentar una queja.

La discriminación incluye la falta de acceso, acoso, represalia o trato desigual en algún programa o actividad. El acoso incluye una amplia variedad de conductas abusivas y humillantes, verbales o físicas. La represalia incluye la intimidación, amenazas, coerción, o cualquier otra conducta discriminatoria contra cualquier persona porque haya presentado una queja o haya participado en una investigación de discriminación.

### ¿Cómo se presenta una queja?

Las quejas se deben presentar a más tardar 180 días después de la fecha de la supuesta discriminación. Comuníquese con Kevin Murphy al (360) 416-7871 o en [kmurphy@scog.net](mailto:kmurphy@scog.net), si cree que su queja puede quedar fuera de este plazo.

Se harán esfuerzos razonables para asistir a las personas con discapacidades, personas que no hablan inglés, y otras personas que no puedan presentar una queja por escrito. Para asistencia para presentar una queja, por favor comuníquese con Kevin Murphy al (360) 416-7871 o en [kmurphy@scog.net](mailto:kmurphy@scog.net).

Las quejas se deben presentar por escrito, deben estar firmadas, y pueden presentarse por correo, en persona o por correo electrónico. En el caso que un demandante llame por teléfono al SCOG con alegaciones, dichas alegaciones se transcribirán conforme se proporcionen por teléfono y, a continuación, se enviará la queja por escrito al demandante para que la corrija y la firme a la dirección postal y/o dirección de correo electrónico proporcionadas al SCOG.

Una queja debe incluir la siguiente información:

- La información de contacto del demandante, incluyendo, de estar disponible: el nombre completo, la dirección postal, el número de teléfono (y la mejor hora para llamar), y la dirección de correo electrónico (de estar disponible);
- En qué se basa la queja (por ejemplo, raza, color, origen nacional);
- El/Los nombre(s) de la(s) persona(s)/agencia(s)/organización(es) específica(s) que supuestamente han discriminado;
- Una descripción de las supuestas acciones discriminatorias. Esto significa suficiente información para comprender los hechos que llevaron a que el demandante crea que ha ocurrido una discriminación en un programa o actividad que recibe asistencia financiera federal; y
- La(s) fecha(s) del acto(s) discriminatorio(s) y si la supuesta discriminación continua.

Todas las quejas de Título VI son registradas. El registro de quejas debe incluir la siguiente información para cada queja presentada:

- El nombre y dirección de la persona que presenta la queja;
- La fecha de la queja;
- La base de la queja;
- La disposición de la queja; y
- El estatus de la queja.

El Registro de quejas y su documentación asociada serán conservados por el SCOG por un mínimo de seis años tras el final del año natural en el que se haya cerrado el caso.

### **¿Qué sucede después que se presenta una queja?**

Si el SCOG remite su queja a otra organización, recibirá el nombre e información de contacto del empleado que está manejando su queja en la otra organización.

La ley federal prohíbe represalias contra las personas que hayan presentado una queja por discriminación o que de alguna manera hayan participado en una investigación de discriminación. Cualquier supuesta represalia se debe reportar por escrito al investigador.

Las agencias federales tomarán las decisiones finales en todos los casos, incluyendo los que son investigados por el Departamento de transporte del estado de Washington

(WSDOT). No hay foros de apelación administrativa en las quejas del Título VI. Una vez una agencia federal haya emitido su decisión final, la queja queda cerrada.

No existe ninguna prohibición de que un demandante presente una queja del Título VI simultáneamente con el SCOG, el WSDOT, la Administración federal de carreteras, la Administración federal de tránsito y los Estados Unidos. Departamento de justicia.

El SCOG no investigará una queja de discriminación presentada contra sí mismo. Cualquier queja alegando discriminación por parte del SCOG que sea recibida por el SCOG, será remitida a la Oficina de equidad y derechos civiles del WSDOT dentro de 10 días naturales después de recibir dicha queja. El SCOG remitirá la queja a:

- Washington State Department of Transportation  
Office of Equity and Civil Rights  
PO Box 47314  
Olympia, WA 98504  
Email: [oeoecrbcomplaints@wsdot.wa.gov](mailto:oeoecrbcomplaints@wsdot.wa.gov)

Los procedimientos no niegan el derecho del demandante a presentar quejas formales ante otras agencias estatales o federales, o a buscar un abogado privado para las quejas por discriminación. Puede presentar una queja del Título VI en cualquier de las siguientes oficinas:

- Skagit Council of Governments  
Attn: Title VI Coordinator  
315 South Third Street, Suite 100  
Mount Vernon, Washington 98273  
Email: [kmurphy@scog.net](mailto:kmurphy@scog.net)  
Phone: (360) 416-7871
- Washington State Department of Transportation  
Office of Equity and Civil Rights  
PO Box 47314  
Olympia, WA 98504-7314  
Email: [oeoecrbcomplaints@wsdot.wa.gov](mailto:oeoecrbcomplaints@wsdot.wa.gov)  
Phone: (800) 259-9143
- Federal Highway Administration  
Office of Civil Rights  
8th Floor E81-105  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Email: [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)
- Federal Transit Administration  
Office of Civil Rights  
Attn: Complaint Team  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Email: [FTACivilRightsCommunications@dot.gov](mailto:FTACivilRightsCommunications@dot.gov)

- United States Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington DC, 20530-0001  
Phone: (855) 856-12

## **APPENDIX 4: DEMOGRAPHIC PROFILE**

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# Skagit County Regional Demographic Profile

April 2023

**SCOG**   
Skagit Council of Governments

315 S. 3rd St. Suite #100  
Mount Vernon, WA 98273

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Additional copies of this document, including written materials in alternate formats, may be obtained by contacting SCOG. Persons who are deaf or hard of hearing may contact SCOG through TTY Relay 711.

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# INTRODUCTION

As the federally-designated Metropolitan Planning Organization (MPO) and state-designated regional transportation planning organization (RTPO) for the Skagit County region, and as a recipient of federal funds, Skagit Council of Governments (SCOG) commits to nondiscrimination under Title VI of the Civil Rights Act, Executive Order 12898, and related nondiscrimination statutes. In its role as an MPO and RTPO, SCOG is responsible for developing and updating the Skagit County region's long-range transportation plan, as well as overseeing the distribution of federal transportation funds through a six-year regional transportation improvement program.

Title VI of the Civil Rights Act ensures that SCOG does not discriminate on the basis of race, color, or national origin in any of its programs, policies, or activities. Additionally, Executive Order 12898, along with related U.S. Department of Transportation (DOT) orders and guidance, create specific Environmental Justice requirements for recipients of federal transportation funds. Other related statutes extend nondiscrimination requirements to disadvantaged populations based on age, sex, and disability status.

SCOG has developed and regularly updated a demographic profile since 2013. This demographic profile acts as a tool for SCOG, regional project sponsors, partners, stakeholders, and the public to better understand and identify disadvantaged populations in the Skagit County region. By better understanding the changing demographic characteristics of the Skagit County region, SCOG can make informed and equitable decisions in the transportation planning process. This updated 2023 Demographic Profile presents current demographic data for the Skagit County region, which will inform subsequent Title VI, Environmental Justice, and other equity analyses and activities conducted as part of SCOG's transportation plans and programs.

## ENVIRONMENTAL JUSTICE

Environmental Justice (EJ) principles protect minority populations and low-income populations from disproportionately adverse effects of programs, policies, and activities funded by the DOT. By accepting federal funds through the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), both operating administrations within the DOT, SCOG and any recipients of federal funds through SCOG must incorporate Environmental Justice into their programs, policies, and activities.

### WHAT IS ENVIRONMENTAL JUSTICE?

As it relates to transportation, EJ is a concept that assures that before decisions are made for programs, policies, and activities that use federal transportation funds, the impacts to minority and low-income populations are identified and addressed. EJ principles ensure that negative impacts to human health and the environment are not disproportionately borne by these populations.

# INTRODUCTION

## WHO DOES ENVIRONMENTAL JUSTICE APPLY TO?

EJ applies to all recipients of federal funds from FHWA or FTA. It applies to SCOG, as a recipient of these federal funds and it applies to all jurisdictions receiving these funds through SCOG for any program, policy, or activity.

## WHAT ORDERS APPLY TO ENVIRONMENTAL JUSTICE?

In 1994, President Clinton issued Executive Order 12898 directing federal agencies to develop environmental justice strategies that identify and address disproportionately high and adverse effects of programs, policies, and activities on minority populations and low-income populations. In response, the DOT issued an order establishing such a strategy and directing its operating administrations to also provide guidance to recipients of federal funds on how EJ must be incorporated into programs, policies, and activities. The DOT-FHWA-FTA orders/guidance were first published in 1997 and 1998. New orders were published by DOT-FHWA-FTA in 2012 reaffirming the commitment to EJ and clarifying certain aspects of the original 1997 DOT order. In 2012, the definitions for “minority” populations were modified and the distinction between a Title VI analysis and EJ analysis were clarified. For specific EJ guidance, FHWA published Order 6640.23A and FTA published Circular 4703.1.

## HOW IS ENVIRONMENTAL JUSTICE IMPLEMENTED?

This demographic profile is an implementation measure for EJ through the collection and analysis of demographic data for minority populations and low-income populations. This profile provides a basis for transportation decision-making in that location and concentration of these populations are identified. After the publication of the profile, other EJ-related activities will include, but not be limited to, public engagement processes reaching EJ populations, and transportation project review under the National Environmental Policy Act. In the regular course of SCOG’s transportation program, EJ analyses are conducted for the Regional Transportation Plan, Regional Transportation Improvement Program, and project selections.



# PERSONS AND POPULATIONS

This demographic profile includes persons and populations required by guidance on Environmental Justice, as well as other groups protected through Title VI of the Civil Rights Act and related nondiscrimination statutes. Some groups are protected by multiple statutes; for instance, minority persons and populations identified under Environmental Justice are also protected from discrimination under Title VI of the Civil Rights Act mandate for nondiscrimination on the basis of race or color. Definitions for identified nondiscrimination groups are included below.

## ENVIRONMENTAL JUSTICE

Persons that must be identified for Environmental Justice purposes include certain races, ethnic groups, and low-income individuals. These minority and low-income persons are defined as follows:

### Minority Persons

- American Indian and Alaska Native: people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- Asian: people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian sub continent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Phillipine Islands, Thailand, and Vietnam.
- Black or African American: people having origins in any of the Black racial groups of Africa.
- Hawaiian and Other Pacific Islander: people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- Hispanic or Latino: includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture of origin, regardless of race.

### Low-Income Persons

- Low-income: a person whose median household income is at or below the Department of Health and Human Services (HHS) poverty guidelines.<sup>1</sup>

Minority populations and low-income populations must be identified when they live in geographic proximity to a proposed program, policy, or activity. If circumstances warrant, geographically dispersed or transient persons who will be similarly affected must be identified. Effects on these populations must not be “disproportionately high and adverse,” meaning: (1) effects may not be disproportionately borne by minority populations or low-income populations; and (2) adverse effects may not be more severe or greater in magnitude than effects borne by non-minority populations or low-income populations.

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<sup>1</sup> The FTA recommends creating locally developed thresholds for “low-income”, which must include, at a minimum, those people within the HHS guidelines.

# PERSONS AND POPULATIONS

## TITLE VI

### Limited English Proficiency

- Using American Community Survey (ACS) data, SCOG classifies persons as having limited English proficiency (LEP) if they responded with any answer other than “very well” when asked to rate their ability to speak English. Those who spoke only English at home were assumed to be proficient in English. Available data for language proficiency is for the population age 5 and over.

### Foreign Born Persons

- SCOG identifies persons born outside the United States as foreign born, using American Community Survey (ACS) data estimates. Foreign born persons are identified by world region of birth.

### OTHER NON-DISCRIMINATION STATUTES

Statutes other than Title VI and the Environmental Justice Executive Orders protect disadvantaged populations by age, sex, and disability status. These statutes include the Age Discrimination Act (1975), Section 162(a) of the Federal Aid Highway Act (1973), Section 504 of the Rehabilitation Act (1973) and Title II of the Americans with Disabilities Act (1990).

### Seniors

- Persons reporting that they were age 65 or over, using data provided by the ACS, are classified by SCOG as seniors.

### Youth

- Persons reporting that they were age 19 or under, using data provided by the ACS, are classified by SCOG as youth.

### Women

- Persons reporting that they were female, using data provided by the ACS, are classified by SCOG as women.

### Persons with Disabilities

- The ACS uses questions to determine whether or not someone is considered disabled. The questions identify six disability types which are:
  1. Deaf or having serious difficulty hearing.
  2. Blind or having serious difficulty seeing, even when wearing glasses.
  3. Because of a physical, mental, or emotional problem, having difficulty remembering, concentrating, or making decisions.
  4. Having serious difficulty walking or climbing stairs.
  5. Having difficulty bathing or dressing.
  6. Because of a physical, mental, or emotional problem, having difficulty doing errands alone such as visiting a doctor’s office or shopping.<sup>1</sup>
- SCOG classifies persons as having a disability if they meet the ACS definition and are included in the ACS data.

<sup>1</sup> These six categories are abbreviated from those available through the U.S. Census Bureau, which were introduced in 2008 through questionnaires used to ascertain disability status.



# DATA

## MAIN DATA SOURCES

The main data sources used for this demographic profile are both products of the U.S. Census Bureau: the 2020 decennial Census and the American Community Survey. Data for all the tables are county-level, whereas data for all the maps are at the smallest geography available through the U.S. Census Bureau. Data from the ACS are primarily from the five-year estimates as these generally produce the highest level of accuracy in the data with a larger sample size than one-year estimates.

All ACS data are an average over a 12-month period. The five-year estimates produce the most reliable estimates for the most part, but the data are spread over a long range, which is 2017-2021 for this demographic profile. Conversely, the one-year estimates provide estimates over the shortest timeframe (2021), but are generally the least reliable. Reliability of data is favored over shorter-timeframe estimates for this demographic profile. Therefore, the 2017-2021 estimates are primarily used. In cases where five-year estimates were unavailable, one-year estimates are used. All data that should be considered unreliable are identified in the tables of this demographic profile.

The following are used in the data tables and figures of this demographic profile:

### American Community Survey

- Table CP03, Comparative Economic Characteristics, 2012-2016 & 2017-2021 five-year estimates, county-level geography
- Table CP05, Comparative Demographic Estimates, 2012-2016 & 2017-2021 five-year estimates, county-level geography
- Table C16001, Language Spoken At Home for the Population 5 Years and Over, 2017-2021 five-year estimates, county-level geography
- Table C17002, Ratio of Income to Poverty Level in the Past 12 Months, 2017-2021 five-year estimates, county-level geography
- Table C16004, Age By Language Spoken At Home By Ability to Speak English for the Population 5 Years and Over, 2021 one-year estimates, county-level geography
- Table B05002, Place of Birth by Nativity and Citizenship Status, 2017-2021 five-year estimates, tract-level geography
- Table B16001, Language Spoken At Home By Ability to Speak English, Persons Age 5 Years and Over, 2017-2021 five-year estimates, county-level geography
- Table B17001, Poverty Status in the Past 12 Months by Sex By Age, 2017-2021 five-year estimates, county-level and tract-level geographies
- Tables B17001A-I, Poverty Status in the Past 12 Months By Sex By Age, 2017-2021 five-year estimates, county-level geography
- Table B18130, Age By Disability By Poverty Status, 2021 one-year estimates, county-level geography
- Tables B19013A-I, Median Household Income in the Past 12 Months (in 2021 Inflation-Adjusted Dollars), 2017-2021 five-year estimates, county-level geography
- Table S0101, Age and Sex, 2017-2021 five-year estimates, tract-level geography
- Table S1602, Limited English Speaking Households, 2017-2021 five-year estimates, tract-level geography
- Table S1810, Disability Characteristics, 2017-2021 five-year estimates, tract-level geography

### Decennial Census

- Table P1, Race, 2020 Census Redistricting Data (PL 94-171), block-level geography
- Table P2, Hispanic or Latino by Race, 2020 Census Redistricting Data (PL 94-171), block-level geography

# DATA

## ALTERNATIVE DATA SOURCE

State of Washington Office of Superintendent of Public Instruction (OSPI) data was examined for this demographic profile to cross-reference main data sources on EJ populations. For this analysis, available primary school data was used from the following school districts: Anacortes School District; Burlington-Edison School District; Concrete School District; Conway School District; La Conner School District; Mount Vernon School District; and Sedro-Woolley School District. Race and ethnicity data, and free/reduced-price lunch data were reviewed for all primary schools for which data were available for the 2020-2021 school year.

The data from this alternative source showed consistent results of race and ethnic data with the 2020 decennial Census. The two elementary schools with the highest rate of self-identified American Indian and Alaska Native students were located in proximity to Census blocks with high concentrations and total numbers of self-identified American Indian and Alaska Native persons. The two elementary schools with the highest concentration of self-identified Hispanic and Latino students corresponded with the areas of the City of Burlington with some of the highest concentrations of self-identified Hispanic and Latino residents, by census block geography. Finally, the five elementary schools with the highest concentration of students with free and reduced lunch are located within the Mount Vernon, Burlington-Edison, and Concrete school districts. The service areas for these elementary schools intersect with census tracts identified as having low-income population rates of 11.04% or greater.

# DATA

## DATA NOTES

Each data source has strengths and weaknesses, as they relate to this demographic profile. Here are notable examples of strengths and weaknesses for the data sources used:

### **OSPI Primary School Data**

*Strengths:* updated on an annual basis so is useful to see year-to-year changes; helpful in geographic cross-referencing 2020 decennial Census data for race and ethnicity; good leading indicators for changing trends in locations of racial groups, ethnic groups and low-income groups. Low-income data reported by OSPI corresponds to EJ low-income definitions.

*Weaknesses:* school districts do not always assign local service areas for each primary school, which makes it difficult to ascertain locations of EJ populations; definitions do not necessarily meet EJ definitions (e.g. free/reduced -price lunch criteria vary from definition of EJ “low-income”); primary school children are a narrow cohort of the population and are not representative of entire low-income or minority populations.

### **Decennial Census**

*Strengths:* very high level of data accuracy; detailed race and ethnic information available at the Census block level; data trends/patterns can be ascertained in 10-year increments with every decennial Census.

*Weaknesses:* limited information available with decennial Census with elimination of “long-form” after Census 2000; value of data decreases for accuracy of race and ethnicity data as years pass - the data is no longer current.

### **American Community Survey**

*Strengths:* data releases annually reflect changing trends/patterns; provides the most detailed data available for income and poverty at the Census tract level; helpful for determining significant trends (e.g. high number of Spanish or Spanish Creole speakers in the county).

*Weaknesses:* small sample sizes with high margins of error can lead to unreliable data; data is not available at the same block-level geographies as the decennial Census so analysis is limited to larger-scale areas.

All data sources used for this demographic profile use self-reported data or household member-reported data. All data is collected by questionnaire or form.

# POPULATIONS: AGE AND SEX

Figure 1. Population Pyramid: 2017-2021

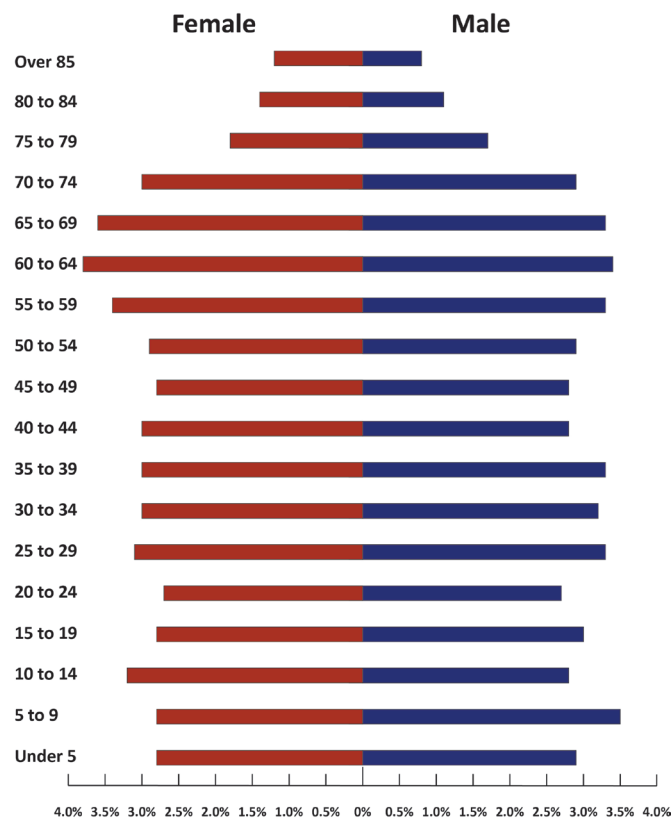
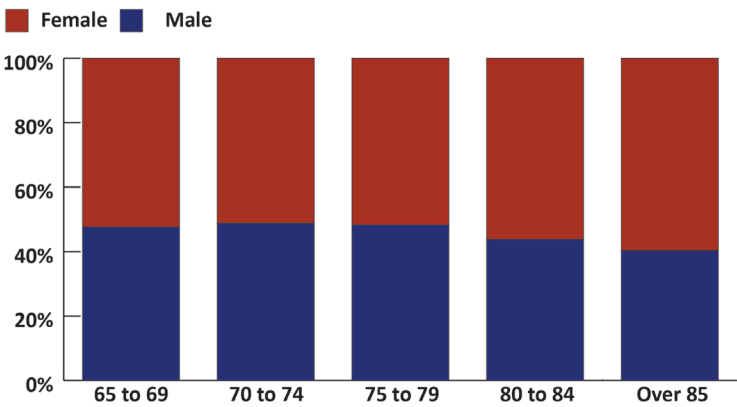


Figure 2. Senior Population Age 65+ by Sex: 2017-2021



Population age groups in Skagit County have continued to shift since 2010, showing that the population is aging. The share of persons under the age of 65 has decreased, with a corresponding increase in the population of those over 65 years in age.

Along with the increase of population at or near retirement age, there was also a 2.4% reduction in the share of persons under 20 years old, or those characterized as youth in the 2010-2021 timeframe.

All of the data for age groups are from the American Community Survey, which is taken yearly from a sample of the population. Age and sex data from the 2020 US Decennial Census, which surveys 100% of the population across the nation was not yet available at the time of this report.

SCOG characterizes seniors as those individuals above 65 years of age, and youth as those 19 years of age and below. In Skagit County, the American Community Survey estimated there to be a total senior population of 28,892 people, according to the 2017-2021 five-year estimates. The rate of senior residents countywide is 22.1% of the total population. Figure 2 illustrates how the 2017-2021 American Community Survey demonstrates that seniors, particularly older seniors, are more likely to self-identify as female; the oldest group of seniors, at 85 years of age and above, are over 60% female.

Seniors also make up the largest group of those who experienced disabilities over the 2017-2021 time period. Figures 3 and 4 illustrate the distribution of senior persons in Skagit County, as well as the Census tracts with the highest per capita rates of seniors age 65 and over. The 2017-2021 countywide average of 22.1% senior population was used as a threshold for mapping these rates.

Source: 2017-2021 American Community Survey Five-Year Estimates, Table S0101

## POPULATIONS: AGE AND SEX

**Table 1. Population by Age, Seniors 65 and Over, 2017-2021**

		Estimate	Margin of Error (+/-)	Rate	Margin of Error (+/-)
Total Population		130,696	N/A	N/A	N/A
Senior Population	Total Population	28,892	523	<b>22.1</b>	0.4
	65 to 69 years	8,699	976	30%	0.7
	70 to 74 years	8,567	894	29.7%	0.7
	75 to 79 years	5,676	872	19.7%	0.7
	80 to 84 years	3,142	800	10.9%	0.6
	85 years and over	2,808	565	9.7%	0.4

Source: 2017-2021 American Community Survey Five-Year Estimates, Table S0101

Note: Percentage rates in **bold** are used on maps as thresholds to determine higher than average populations of seniors. Estimates highlighted in **red** indicate unreliable data. Coefficients of variation for these estimates were above the rate of 15%.

The American Community Survey 2017-2021 five-year estimates estimate that 23.4% of the Skagit countywide population is age 19 and below, characterized by SCOG as the youth population. Youth populations tend to be more evenly distributed by age group, compared to the distribution of ages in the senior population. Overall, youth and seniors make up 44.7% of the countywide total population.

Figures 5 and 6 illustrate the distribution of youth in Skagit County, as well as the Census tracts with the highest per capita rates of youth ages 19 and below. The 2017-2021 countywide average of 23.4% youth was used as a threshold for mapping these rates.

**Table 2. Population by Age, Youth 19 and Below, 2017-2021**

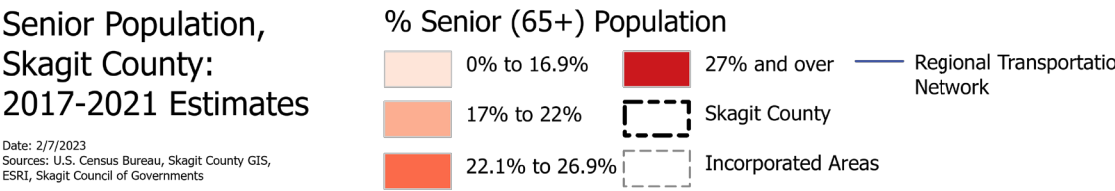
		Estimate	Margin of Error (+/-)	Rate	Margin of Error (+/-)
Total Population		130,696	N/A	N/A	N/A
Youth Population	Total Population	30,594	2,699	<b>23.4%</b>	2.0%
	0 to 4 years	7,021	176	23%	0.1%
	5 to 9 years	8,134	1,096	26.6%	0.8%
	10 to 14 years	7,836	1,054	25.6%	0.8%
	15 to 19 years	7,603	373	24.9%	0.3%

Source: 2017-2021 American Community Survey Five-Year Estimates, Table S0101

Note: Percentage rates in **bold** are used on maps as thresholds to determine higher than average populations of persons with youth.

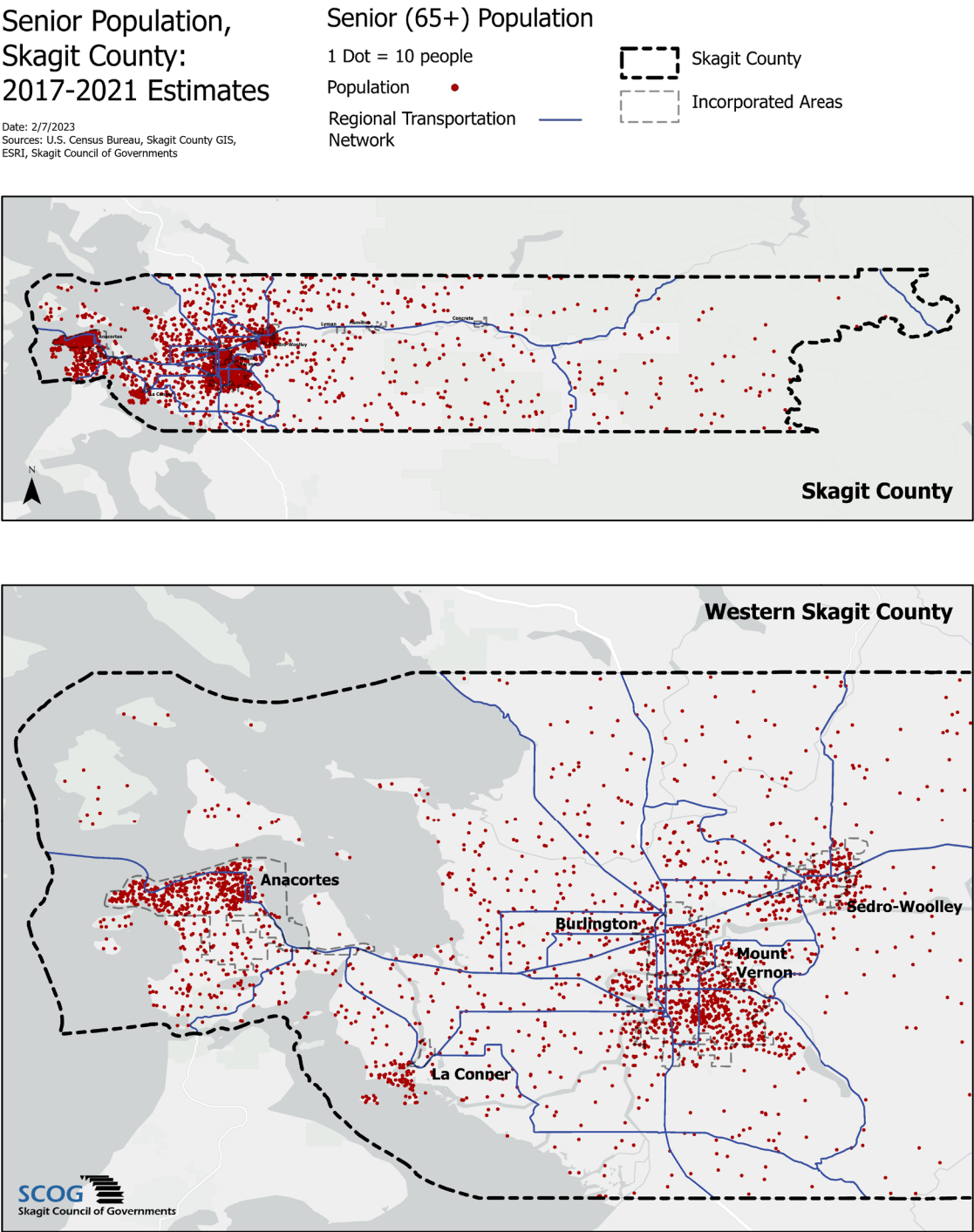
# POPULATIONS: AGE AND SEX

Figure 3.



# POPULATIONS: AGE AND SEX

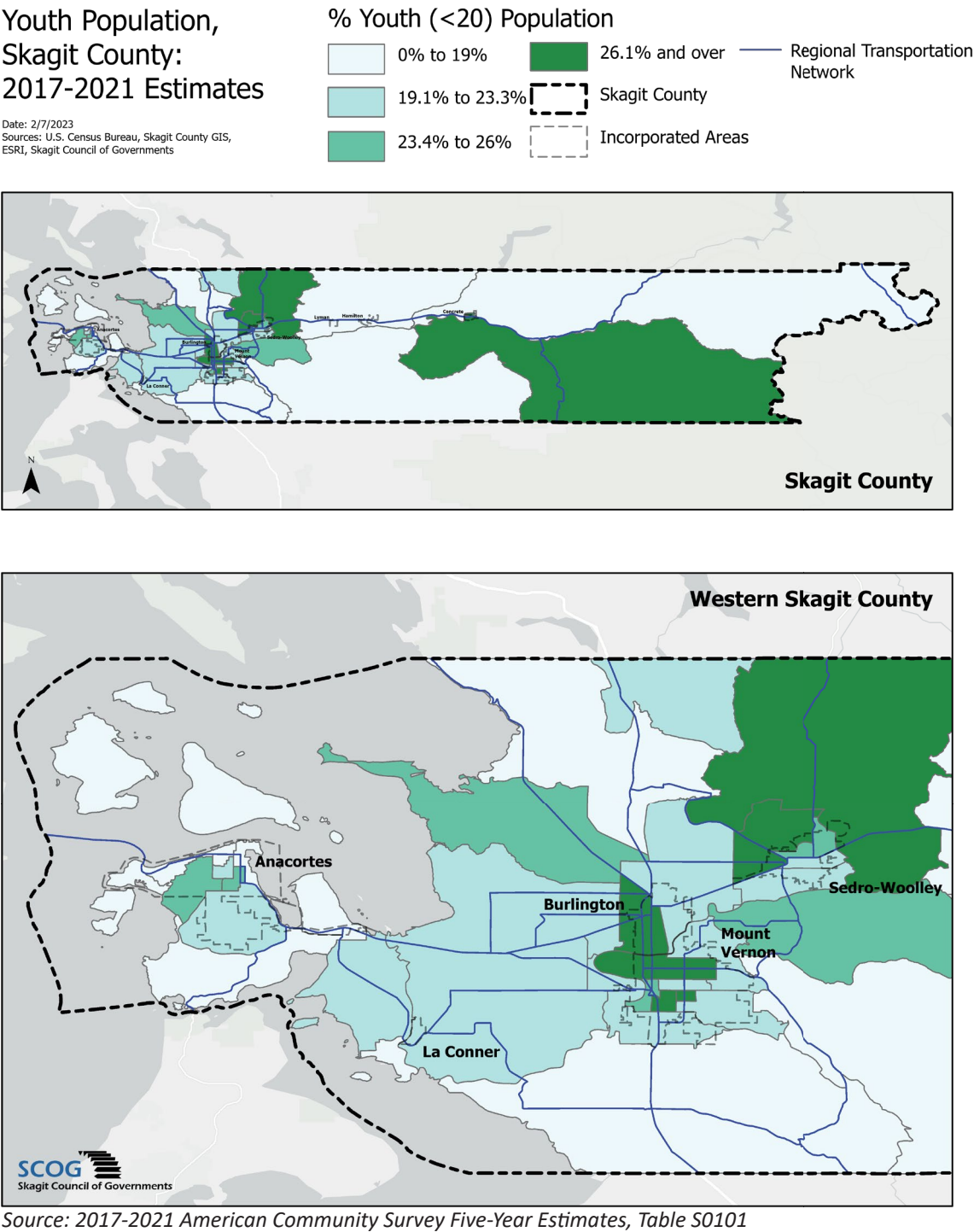
Figure 4.





# POPULATIONS: AGE AND SEX

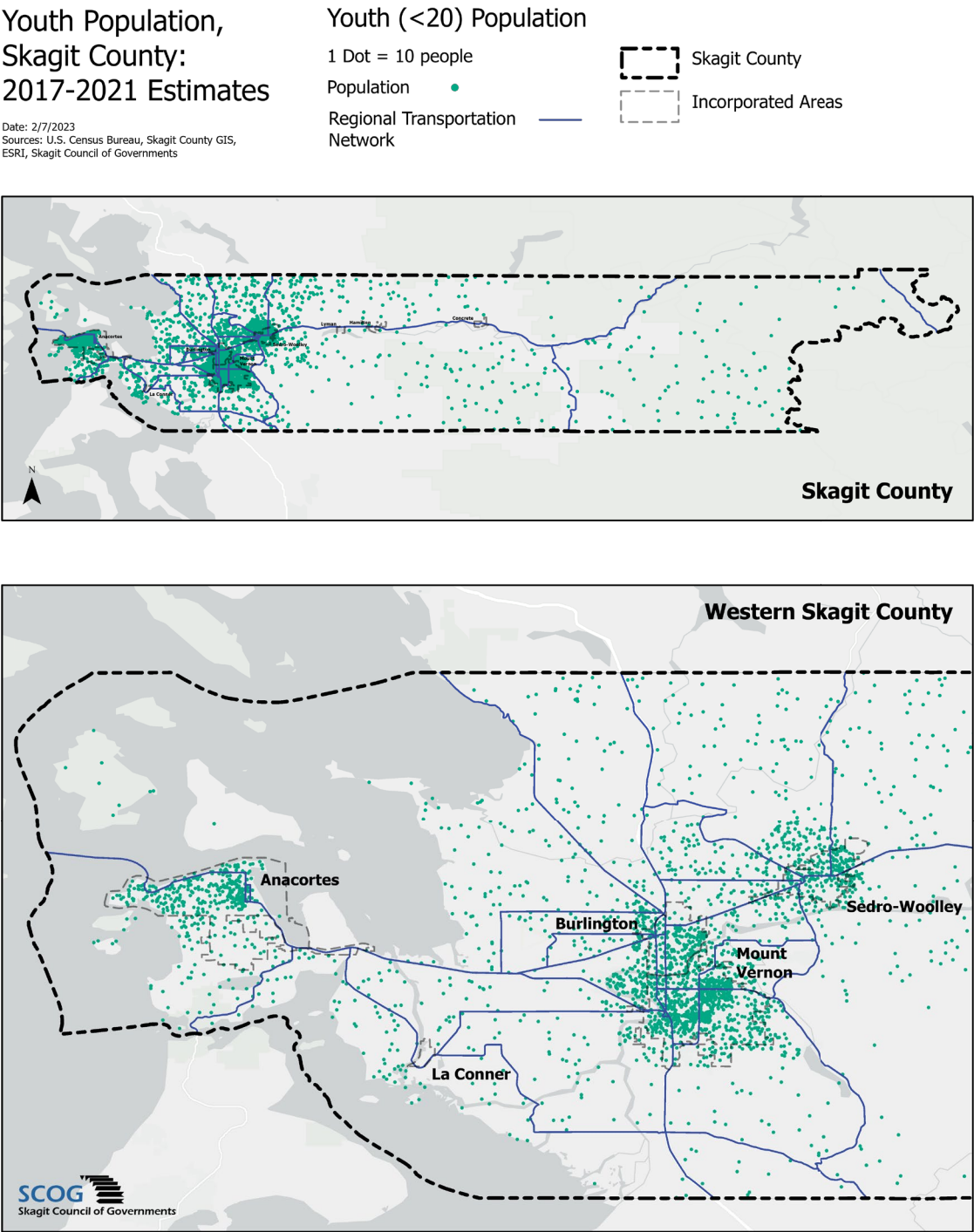
Figure 5.





# POPULATIONS: AGE AND SEX

Figure 6.



# POPULATIONS: PERSONS WITH DISABILITIES

From 2017-2021, 18,264 people countywide, or 14.5% of the total population, were estimated to have experienced a disability. Six types of disabilities, including vision, hearing, cognitive, ambulatory, self-care, and independent living disabilities are identified by the U.S. Census Bureau’s ACS. Disability rates are projected to increase over time with an aging Skagit County population.

Figures 7 and 8 illustrate the distribution of persons with disabilities in Skagit County, as well as the Census tracts with the highest per capita disability rates. The countywide average of 14.5% was used as a threshold for mapping these rates.

People with disabilities reside across Skagit County. The 2017-2021 estimates identify the highest concentration of people with disabilities residing in Mount Vernon and Anacortes, along with areas in eastern Skagit County. In terms of total numbers, the total number of people with disabilities appears to be greatest within the four cities of Anacortes, Burlington, Mount Vernon, and Sedro-Woolley.

Table 3. Persons with Disabilities by Age, 2017-2021

		Estimate	Margin of Error (+/-)	Rate	Margin of Error (+/-)
Total Population		126,322	266	N/A	N/A
Persons with a Disability	Total Population	18,264	950	<b>14.5%</b>	0.7%
	0 to 17 years	1,414	298	7.7%	2.0%
	18 to 34 years	2,151	419	11.8%	1.7%
	35 to 64 years	6,244	525	34.2%	1.1%
	65 years and over	8,455	634	46.3%	5.0%

Source: 2017-2021 American Community Survey Five-Year Estimates, Table S1810

Note: Percentage rates in **bold** are used on maps as thresholds to determine higher than average populations of persons with disabilities.

Rates of persons with disabilities increase with age. As the median age of Skagit County increase, rates of persons with disabilities are also expected to increase. From 2017 to 2021, 80.5% of those estimated to have experienced a disability were 34 years of age or older.

# POPULATIONS: PERSONS WITH DISABILITIES

**Figure 7.**

Population with a Disability,  
Skagit County:  
2017-2021 Estimates

Date: 2/7/2023

Sources: U.S. Census Bureau, Skagit County GIS,  
ESRI, Skagit Council of Governments

% Population with a Disability

0% to 9%

9.1% to 14.4%

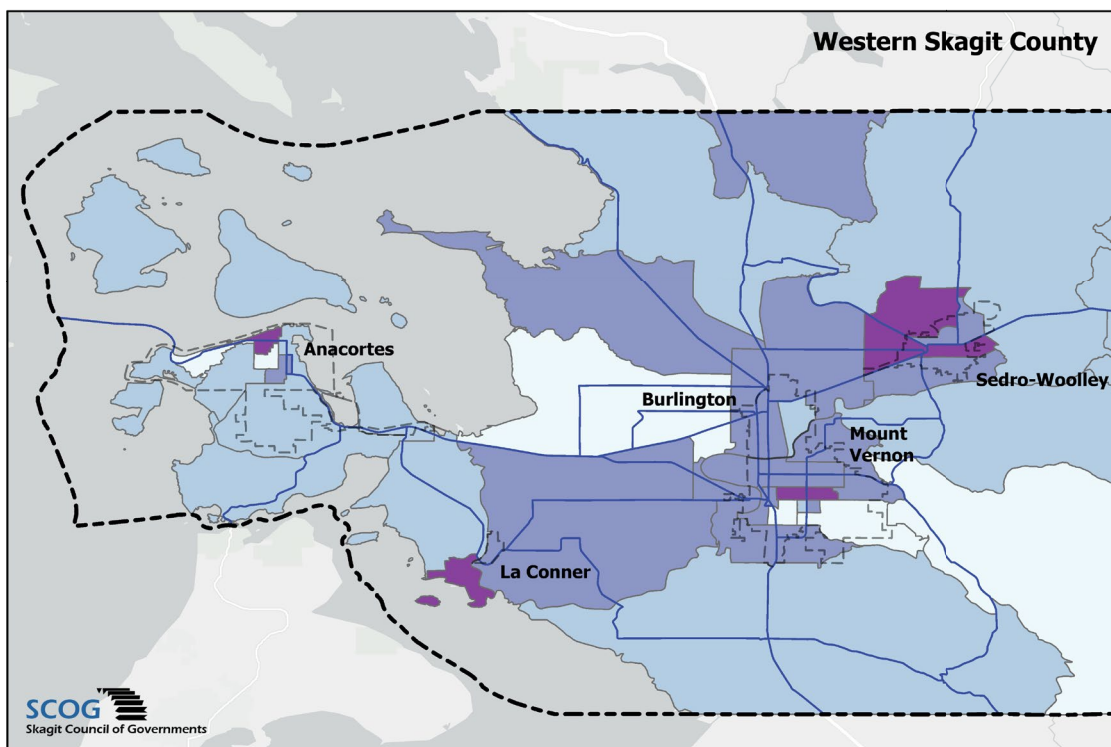
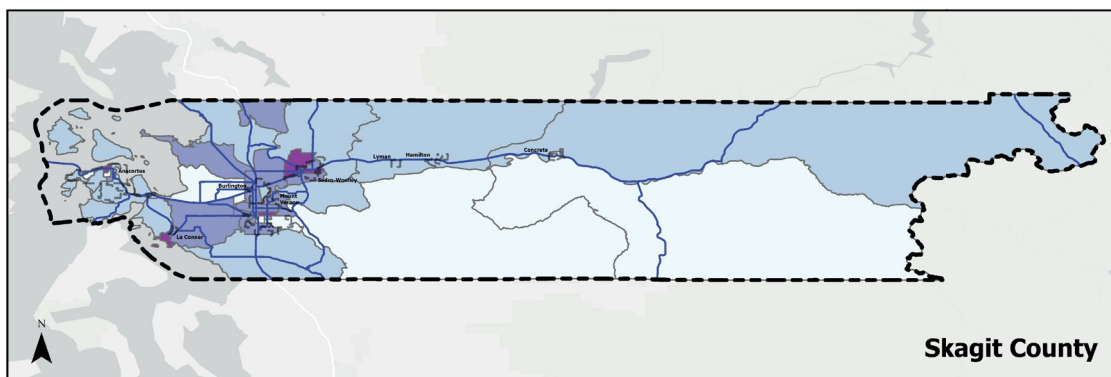
14.5% to 19%

19.1% and over

Skagit County

Incorporated Areas

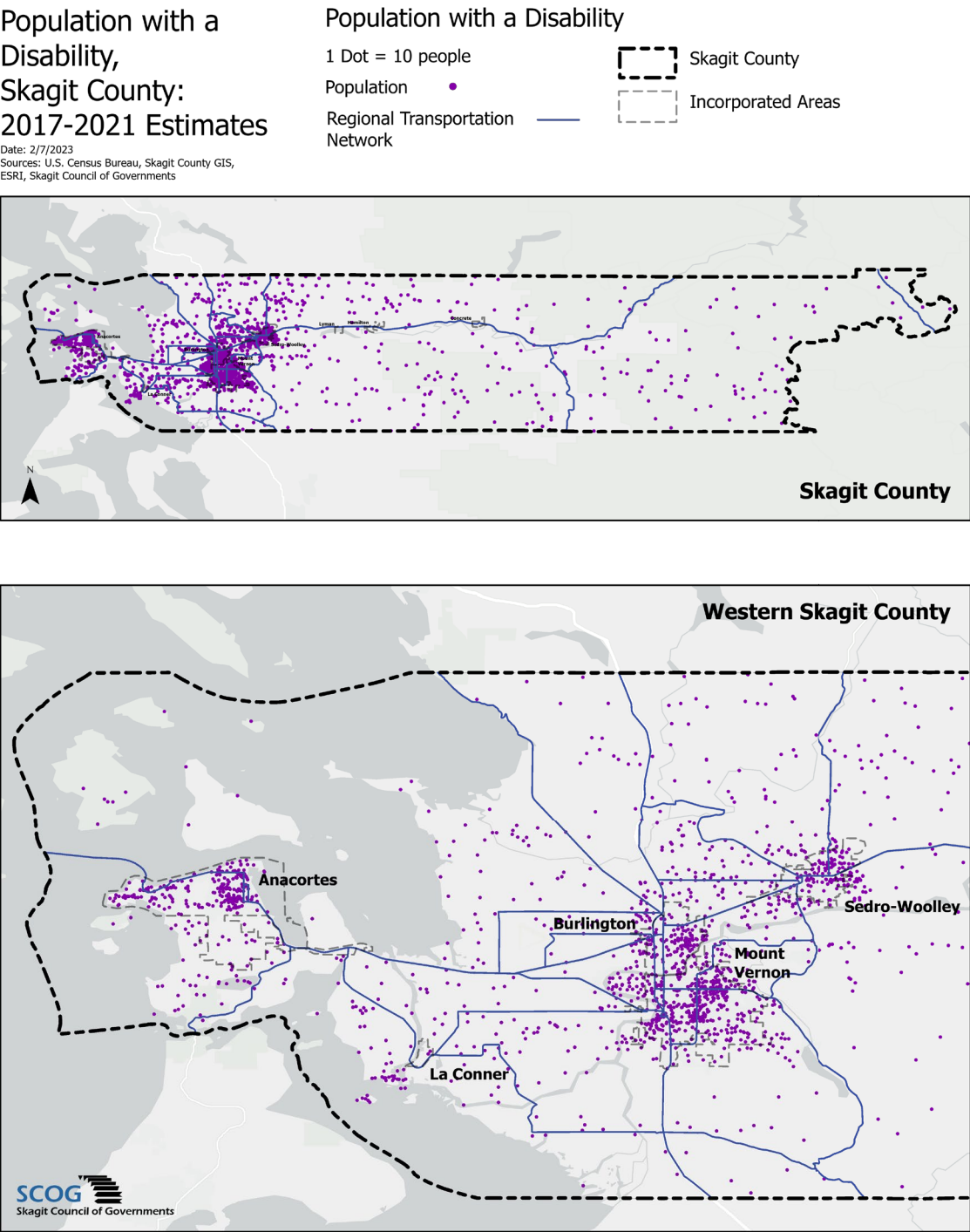
Regional Transportation Network



Source: 2017-2021 American Community Survey Five-Year Estimates, Table S1810

# POPULATIONS: PERSONS WITH DISABILITIES

Figure 8.



Note: Dot density mapping randomly assigns points within geographies. The data geography used for this map is Census tract.

Source: 2017-2021 American Community Survey Five-Year Estimates, Table S1810

## POPULATIONS: LOW-INCOME

**Table 4. Median Household Income by Race and Hispanic/Latino Origin of Householder: 2017-2021**

		Estimate	Margin of Error (+/-)	Percent of Median Household Income	
Median Household Income in Past 12 Months <sup>1</sup>	Race	All Households	\$72,648	6174	N/A
		White	\$75,707	1,815	104.2%
		Black or African Amer- ican	\$103,750	73,844	142.8%
		American Indian and Alaska Native	\$62,625	27,301	86.2%
		Asian	\$91,548	4,864	126.0%
		Native Hawaiian or Other Pacific Islander	No Data	No Data	No Data
		Some Other Race	\$56,825	5,083	78.2%
		Two or More Races	\$81,469	12,645	112.1%
		White Alone, Not His- panic or Latino	\$76,094	1,785	104.7%
	Ethnicity	Hispanic or Latino (of any race)	\$63,375	4,852	87.2%

Source: 2017-2021 American Community Survey 5-Year Estimates, Tables B19013 A-I

In 2017-2021 average household incomes have varied across racial and ethnic lines. Black or African American household incomes tended to be highest in terms of racial group, at \$103,750, although this estimate is considered unreliable. Asian was second highest at \$91,548. The average income for all households was \$72,648.

The two lowest median household incomes by race were those of the following groups: American Indian or Alaska Native, and Some Other Race. Median household income estimates for Black or African American and American Indian and Alaska Native are considered unreliable by the Census Bureau due to their small sample size. Data was not available for Native Hawaiian or Other Pacific Islander.

The median household income estimate for Hispanic/Latino households was 87.2% of the median for the county, at \$63,375.

<sup>1</sup> Households are classified by race and ethnicity reported by Head of Household; and includes Hispanic Whites. Estimates highlighted in **red** indicate unreliable data. Coefficients of variation for these estimates were above the rate of 15%.

## POPULATIONS: LOW-INCOME

**Table 5. Poverty Statistics: 2017-2021**

Total Population		Below Poverty Level			Below 200% of Poverty Level			200% of Poverty Level and Above		
Estimate	Margin of Error (+/-)	Estimate	Percent	Margin of Error (+/-)	Estimate	Percent	Margin of Error (+/-)	Estimate	Percent	Margin of Error (+/-)
126,466	289	13,977	<b>11.1%</b>	2,024	16,305	12.9%	2,885	96,184	76.1%	1,689

Source: 2017-2021 American Community Survey 5-Year Estimates, Table C17002

In the 2017-2021 time period, the U.S. Census Bureau estimated that 11.1% of the Skagit County population lived below the federal poverty level, or just over 13,977 individuals. An additional 16,305 lived above the federal poverty level, but below 200% of the poverty level.

For Environmental Justice analysis purposes, low-income individuals are identified as those living below the federal poverty level. In terms of racial and ethnic groups, the highest population in poverty was White, with almost 9,000 individuals in poverty. Overall, the poverty rate for all minority groups was 5.3%, with Hispanic or Latino and Some Other Race experiencing the highest per capita rates of poverty.

**Table 6. Poverty Statistics by Race and Hispanic/Latino Origin: 2017-2021**

		Estimate	Margin of Error (+/-)	Poverty Rate (%)	Margin of Error (+/-)
Population for Whom Poverty Status is Determined		126,466	289	N/A	N/A
Poverty Rate	Race <sup>1</sup>				
	All Persons	13,977	1,266	11.1%	1.00%
	White	8,967	989	7.1%	0.78%
	Black or African American	141	76	0.1%	0.06%
	American Indian and Alaska Native	632	269	0.5%	0.21%
	Asian	183	82	0.1%	0.06%
	Native Hawaiian or Other Pacific Islander	39	34	0.0%	0.03%
	Some Other Race	3,133	951	2.5%	0.75%
	Two or More Races	882	255	0.7%	0.20%
	Ethnicity				
	Hispanic or Latino (of any race)	5,364	1,114	4.2%	0.88%
	Total Minority	6,636	1,834	5.3%	1.45%

Source: 2017-2021 American Community Survey 5-Year Estimates, Tables B17001A-I

<sup>1</sup> Race is determined by Householder; and Total Minority excludes White non-Hispanic. Estimates highlighted in red indicate unreliable data. Coefficients of variation for these estimates were above the rate of 15%. Percentage rates in bold are used on maps as thresholds to determine higher than average populations of low-income persons.



## POPULATIONS: LOW-INCOME

**Table 7. Poverty Rate for the Senior Population Age 65 and Over: 2017-2021**

Population Age 65 and Over							
Total Population		Total Senior Population		Income Below Poverty Level in Past 12 Months			
Estimate	Margin of Error (+/-)	Estimate	Margin of Error (+/-)	Estimate	Margin of Error (+/-)	Rate	Margin of Error (+/-)
126,466	289	26,392	829	1,528	358	5.8%	1.4%

Source: 2017-2021 American Community Survey 5-year Estimates, Table B17001

Approximately 20.8% of the population in Skagit County was age 65 and over from 2017-2021. Of this population, 5.8% were below the federal poverty level, an estimate of 1,528 people. This rate is well below the 11.05% average countywide poverty level.

**Table 8. Poverty Rate for Persons with a Disability: 2021**

Persons with a Disability or Disabilities							
Total Population		Total Population with Disability(ies)		Income Below Poverty Level in the Last 12 Months			
Estimate	Margin of Error (+/-)	Estimate	Margin of Error (+/-)	Estimate	Margin of Error (+/-)	Rate	Margin of Error (+/-)
128,621	766	19,645	4,125	3,285	1,831	16.7%	9.3%

Source: 2021 American Community Survey 1-year Estimates, Table B18130

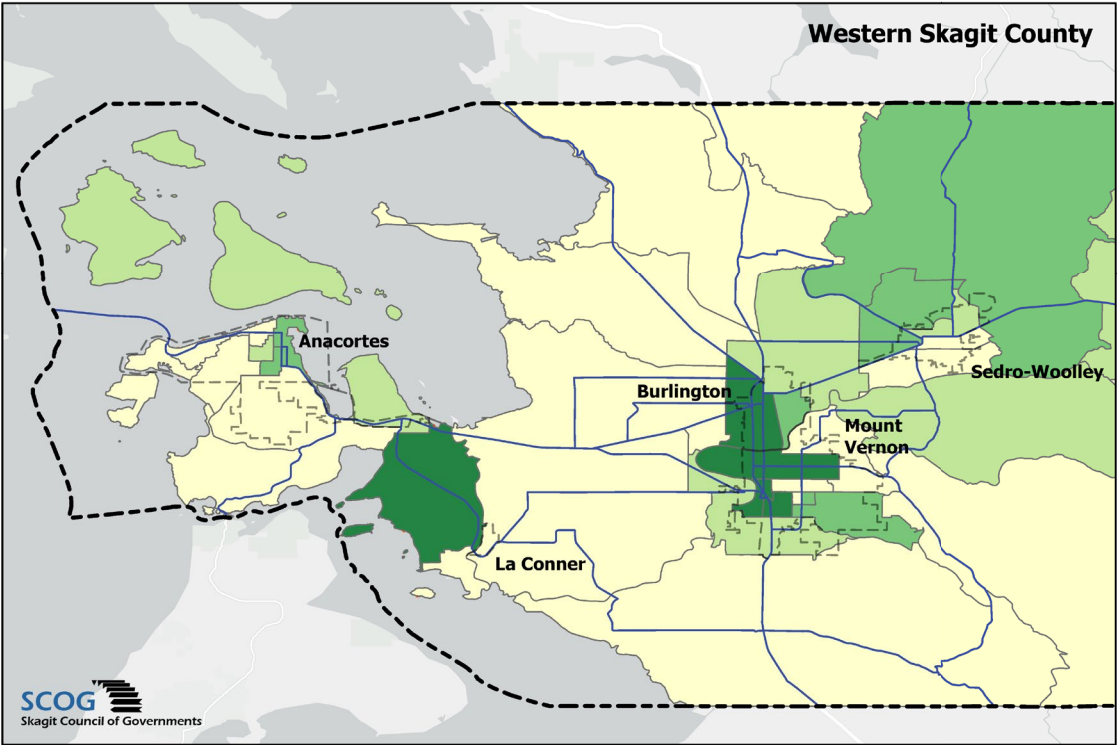
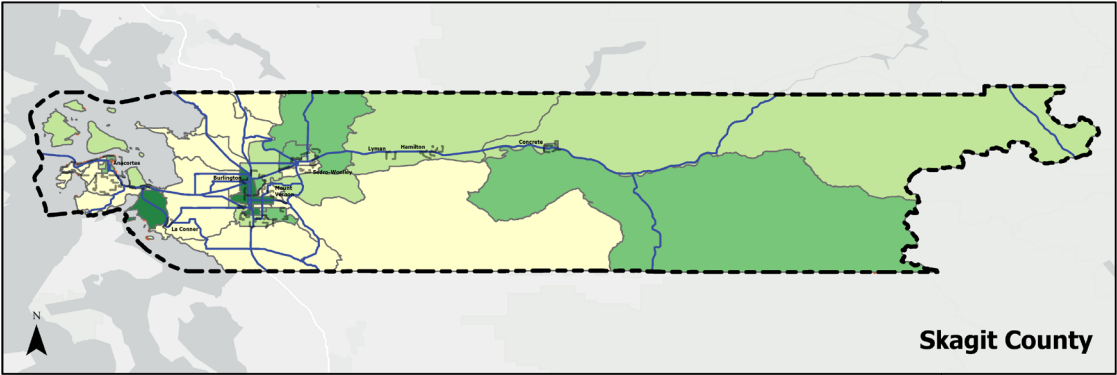
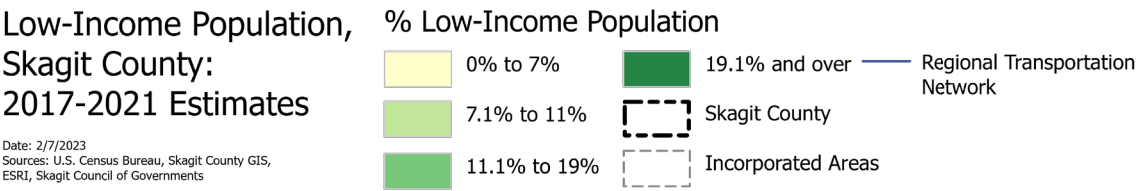
Notes: Estimates highlighted in red indicate unreliable data. Coefficients of variation for these data were above the rate of 15%. 2017-2021 5-year Estimates, which likely would have produced more reliable data, were not available for Table B18130.

As discussed on page 16, Populations: People with Disabilities, nearly 15% of Skagit County residents experienced a disability in 2021, and the five-year average rate was 14.5%. Of this population, over 16% were in poverty, though this estimate is considered unreliable by the Census Bureau due to a small sample size.

The following figures 9 and 10 illustrate the distribution of low-income populations across Skagit County, along with the highest per capita rates of poverty by Census tract. The countywide poverty rate of 11.1% was used as a threshold to map these geographies.

# POPULATIONS: LOW-INCOME

Figure 9.

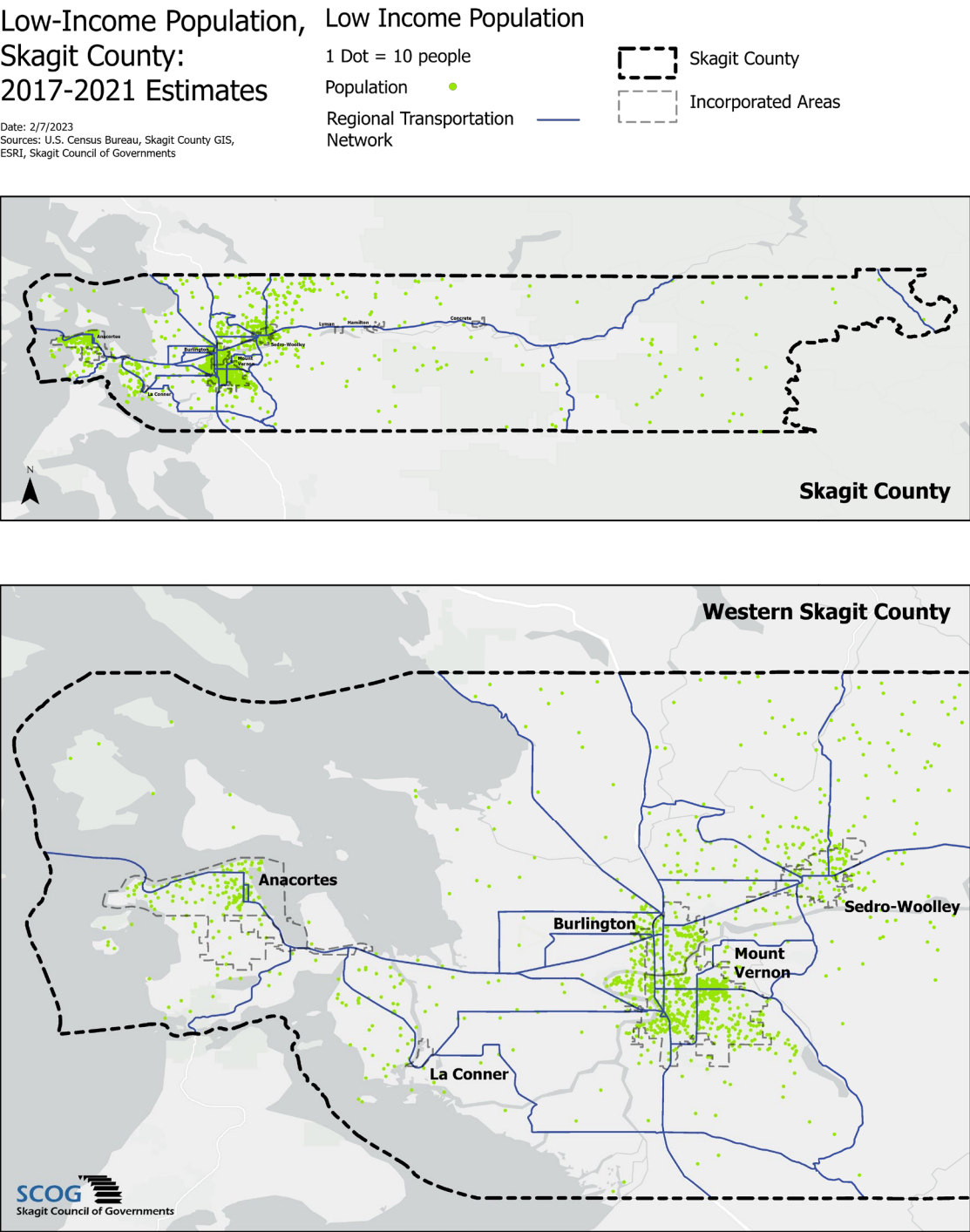


Source: 2017-2021 American Community Survey Five-Year Estimates, Table B17001



# POPULATIONS: LOW-INCOME

Figure 10.



Note: Dot density mapping randomly assigns points within geographies. The data geography used for this map is Census tract.

Source: 2017-2021 American Community Survey Five-Year Estimates, Table B17001

## POPULATIONS: RACE AND ETHNICITY

**Table 9. Population by Race and Hispanic/Latino Origin: 2020**

		Total	Rate (%)
Total Population		129,523	100.0%
Race	White <sup>1</sup>	96,540	74.5%
	Black or African American	888	0.7%
	American Indian and Alaska Native	2,878	2.2%
	Asian	2,832	2.2%
	Hawaiian or Pacific Islander	418	0.3%
	Other race or two or more races	25,967	20.0%
Ethnicity	Hispanic or Latino (of any race)	23,792	<b>18.4%</b>
Race and Ethnicity	Total Minority	32,983	<b>25.5%</b>

Source: 2020 U.S. Census Tables P1 & P2

Persons responding that they are of the White racial group were by far the highest population among all persons of all races in Skagit County at the time of the 2020 Census. Over 74.5% of persons responded that they were White, a total of 96,540 persons out of the 129,523 population.

The second highest number of people identified themselves as “other race or two or more races”. This was nearly 20% of the total population in 2020. Of all self-identified racial groups, American Indians and Alaska Natives were 2.2% of the total population; Asians were 2.2% of the total population; Blacks or African-Americans were 0.7% of the total population; and Native Hawaiian or Other Pacific Islander were the smallest racial group, at 0.3% of the total population.

People responding that they were of Hispanic or Latino ethnicity, and of any race including White, totaled 18.4% of the population in 2020.

The term *Total Minority*, which is used in the demographic profile, encompasses all racial and ethnic groups other than non-Hispanic Whites. Total Minority in the county comprised 25.5% of the total population in 2020.

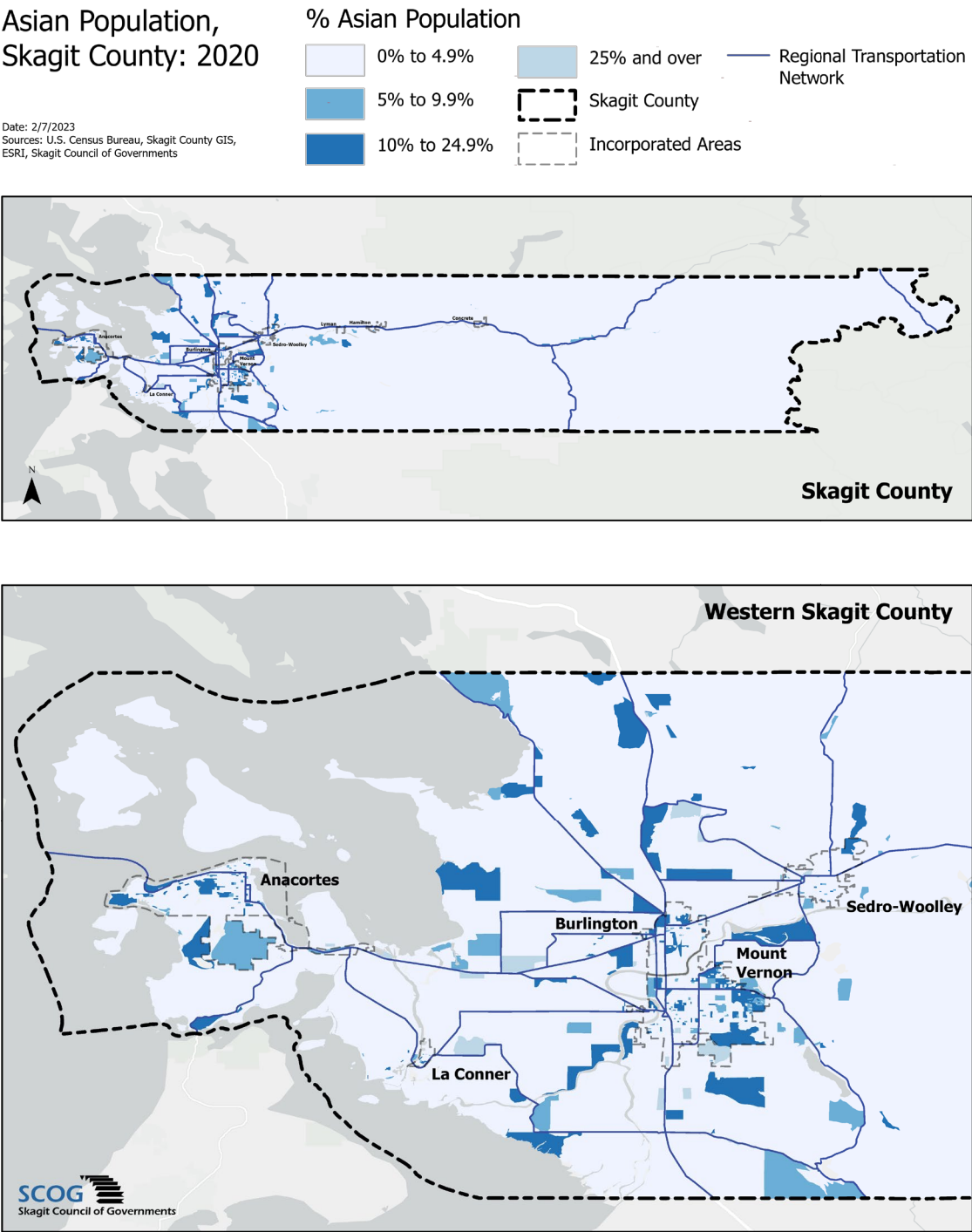
For geographic calculations at the Census block-level, thresholds were composed to differentiate between locations of various racial groups, to see where concentrations of non-White racial populations exist. To aid in this analysis, a map threshold of 5% was selected for racial groups to provide for a consistent threshold among racial groups.

For people of Hispanic/Latino ethnicity, the rate of 18.4% is used as the map threshold to identify populations of this ethnicity. For the Total Minority group, 25.5% is set as the map threshold to identify populations. These rates correspond directly with the rates reported by the U.S. Census Bureau. The maps in figures 11-22 all include 2020 decennial Census data.

<sup>1</sup> White includes Hispanic Whites; and Total Minority does not include non-Hispanic Whites. Percentage rates in **bold** are used on maps as thresholds to determine higher than average populations of persons of minority race or Hispanic/Latino ethnicity.

# POPULATIONS: RACE AND ETHNICITY

Figure 11.



Source: 2020 U.S. Census Table P1

# POPULATIONS: RACE AND ETHNICITY

Figure 12.

## Asian Population, Skagit County: 2020

Date: 2/7/2023  
Sources: U.S. Census Bureau, Skagit County GIS,  
ESRI, Skagit Council of Governments

### Asian Population

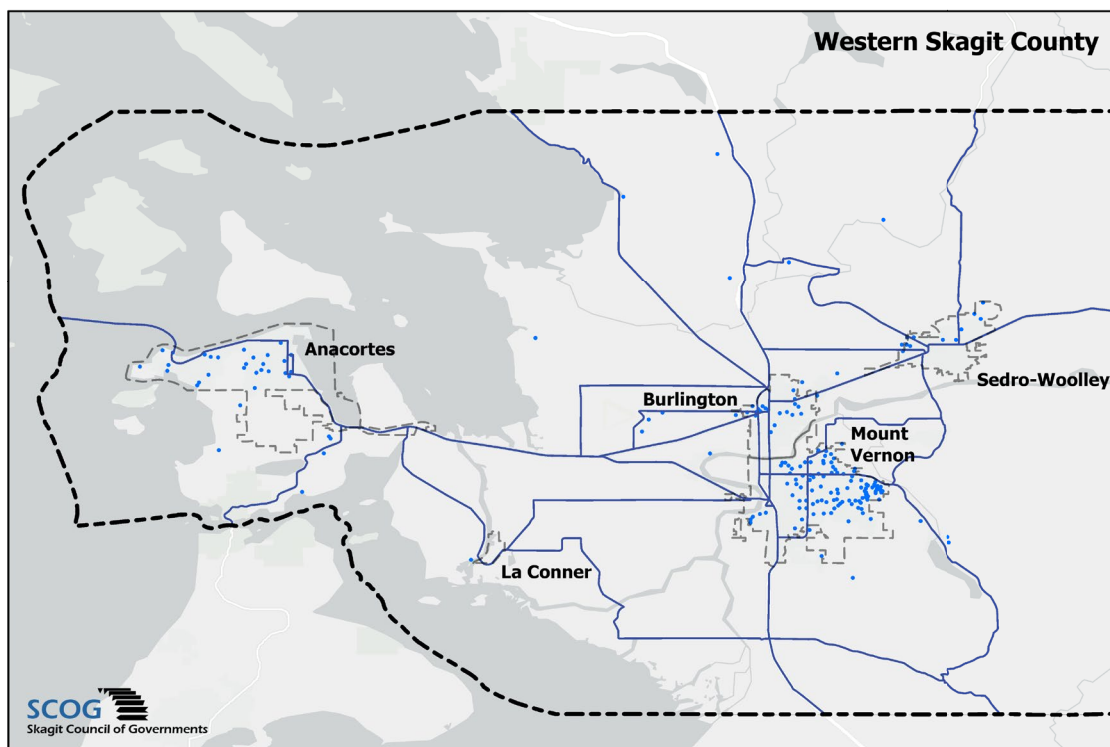
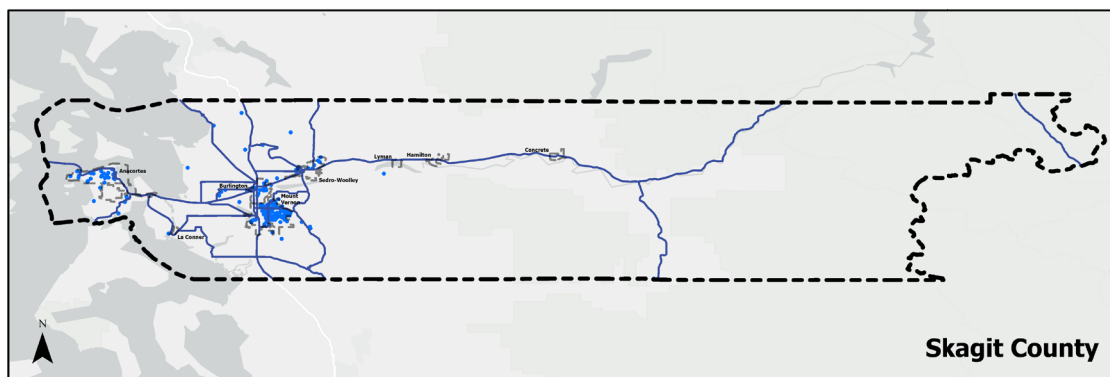
1 Dot = 10 people

Population •

Regional Transportation  
Network —

Skagit County

Incorporated Areas

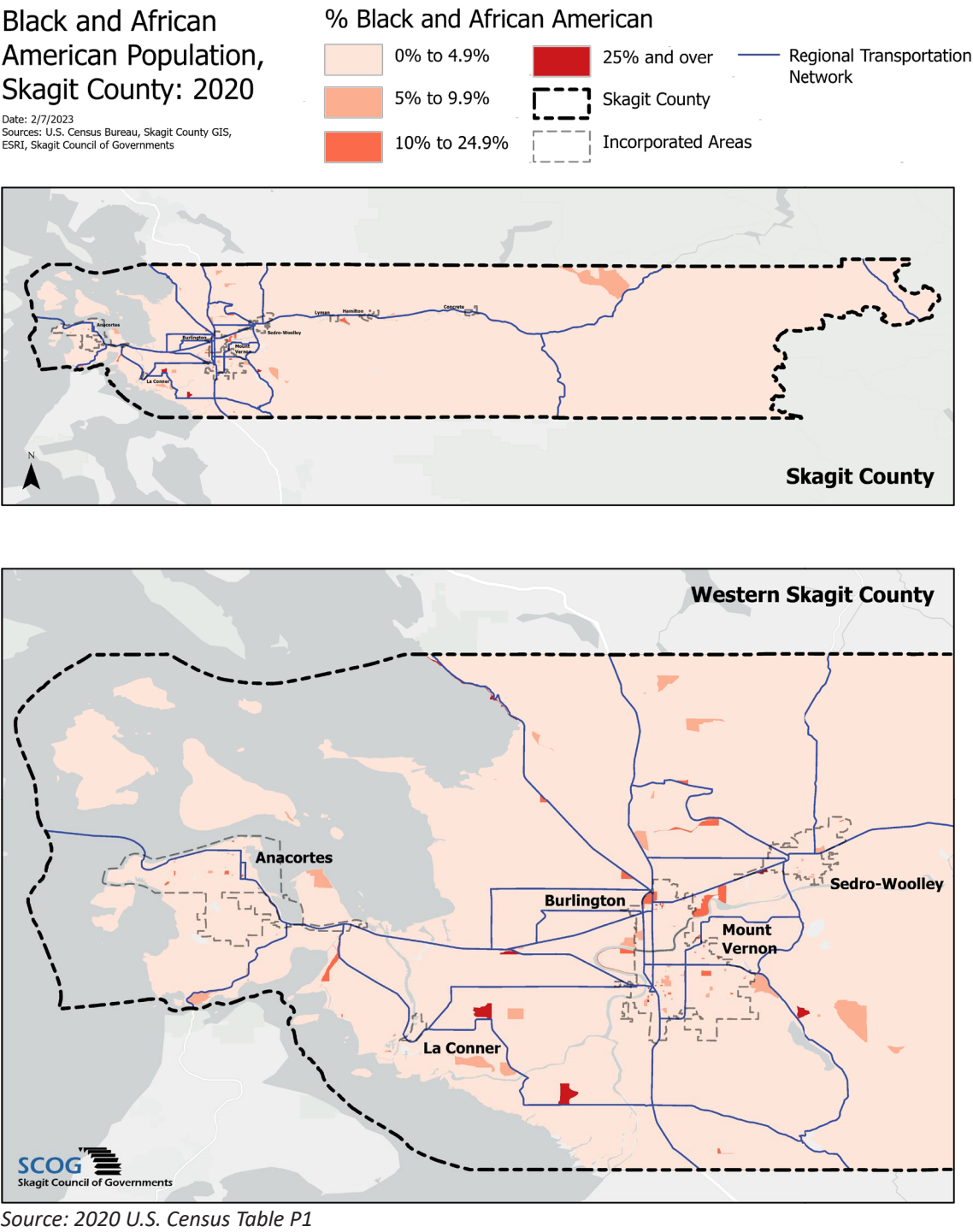


Note: Dot density mapping randomly assigns points within geographies. The data geography used for this map is Census block.

Source: 2020 U.S. Census Table P1

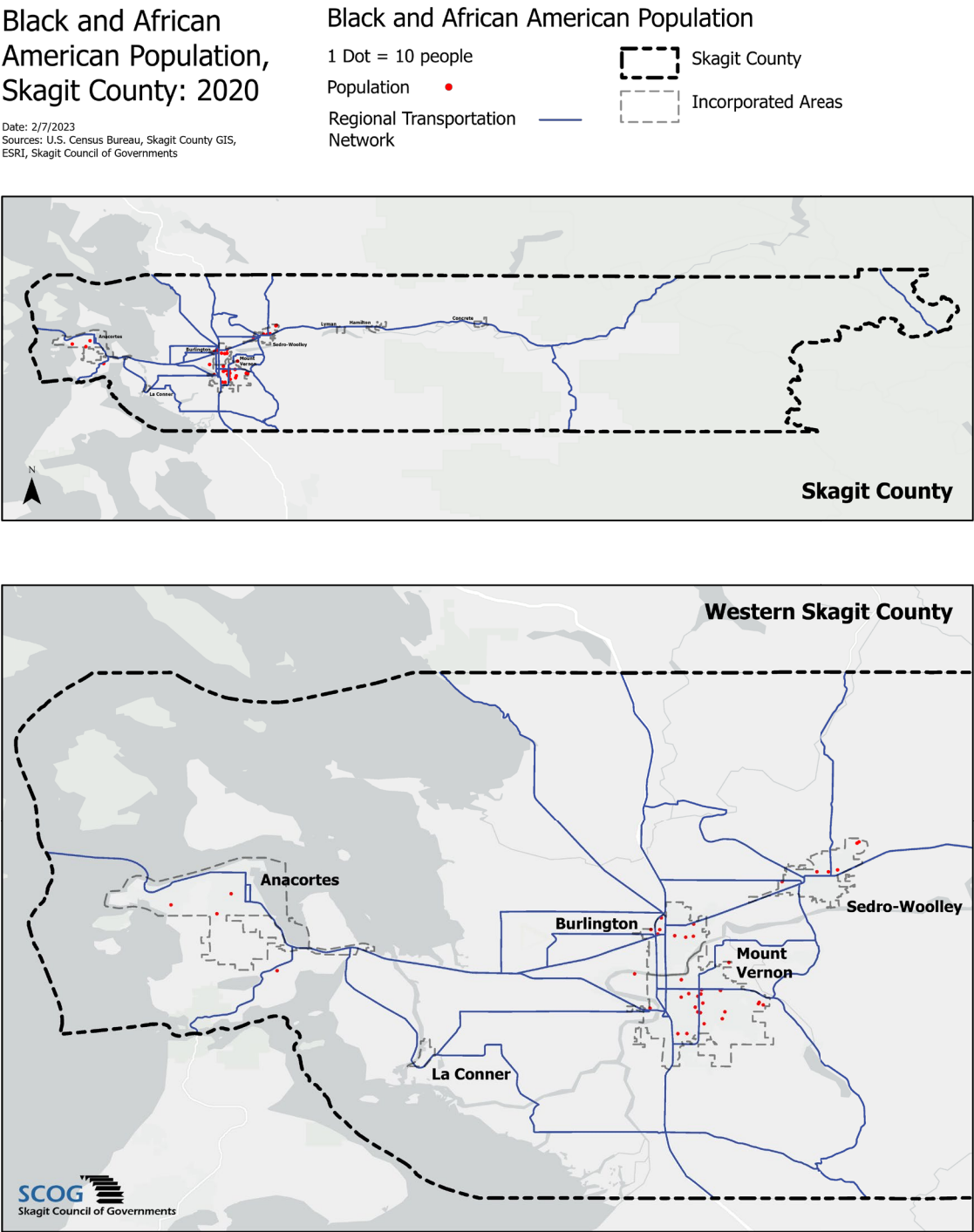
# POPULATIONS: RACE AND ETHNICITY

Figure 13.



# POPULATIONS: RACE AND ETHNICITY

Figure 14.





# POPULATIONS: RACE AND ETHNICITY

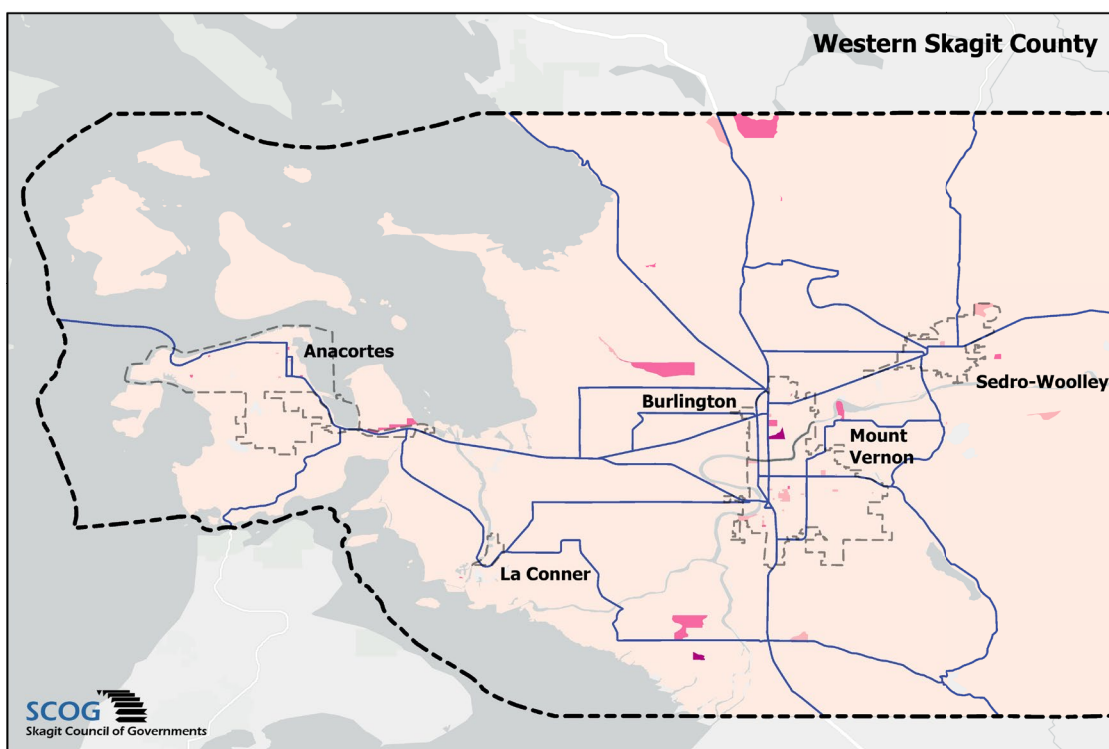
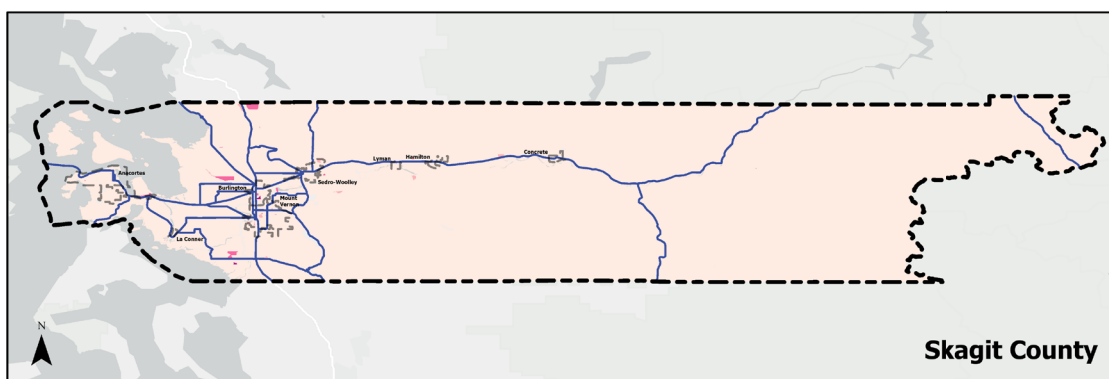
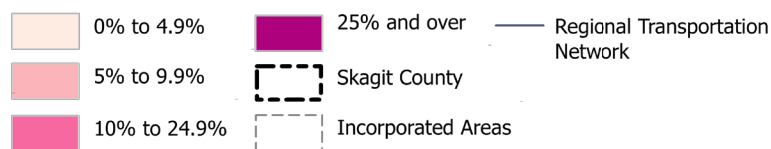
**Figure 15.**

## Hawaiian and Other Pacific Islander Population, Skagit County: 2020

Date: 2/7/2023

Sources: U.S. Census Bureau, Skagit County GIS, ESRI, Skagit Council of Governments

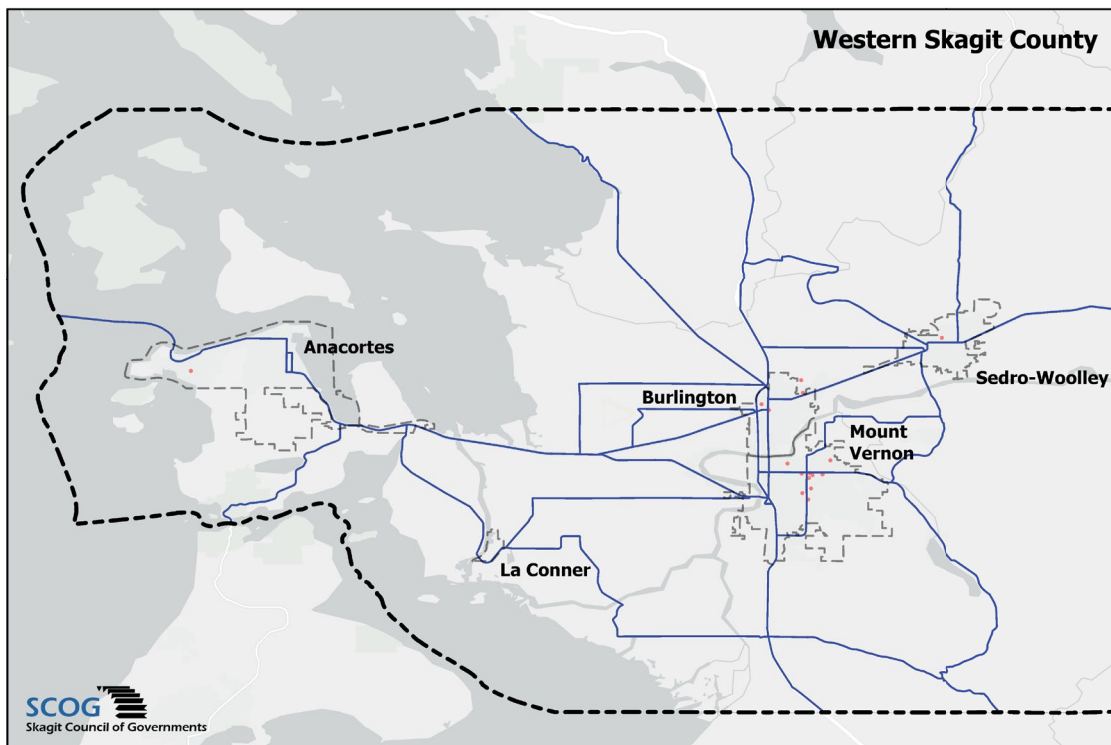
### % Hawaiian and Other Pacific Islander Population



Source: 2020 U.S. Census Table P1

# Hawaiian and Other Pacific Islander Population, Skagit County: 2020

 Incorporated Areas

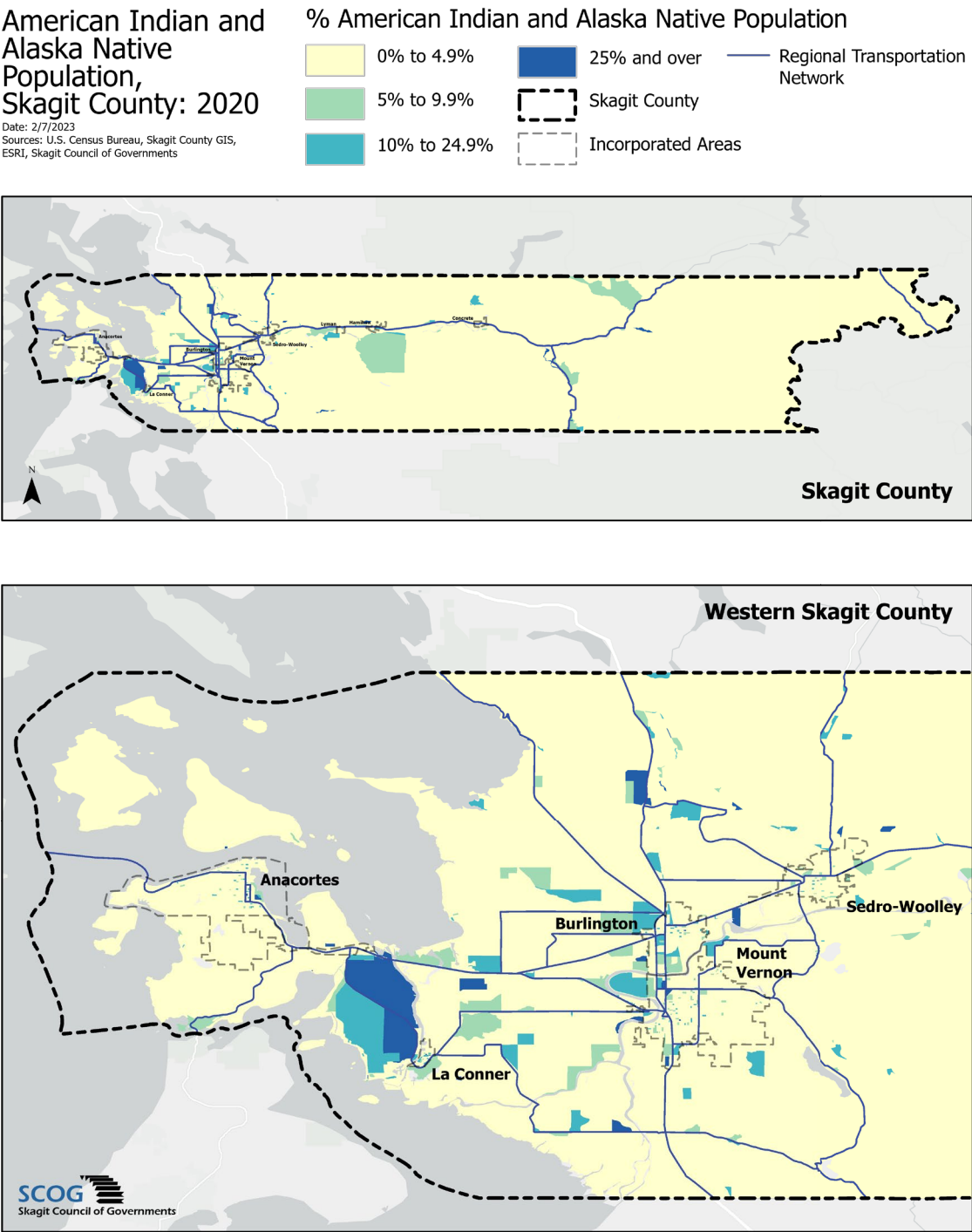


32



# POPULATIONS: RACE AND ETHNICITY

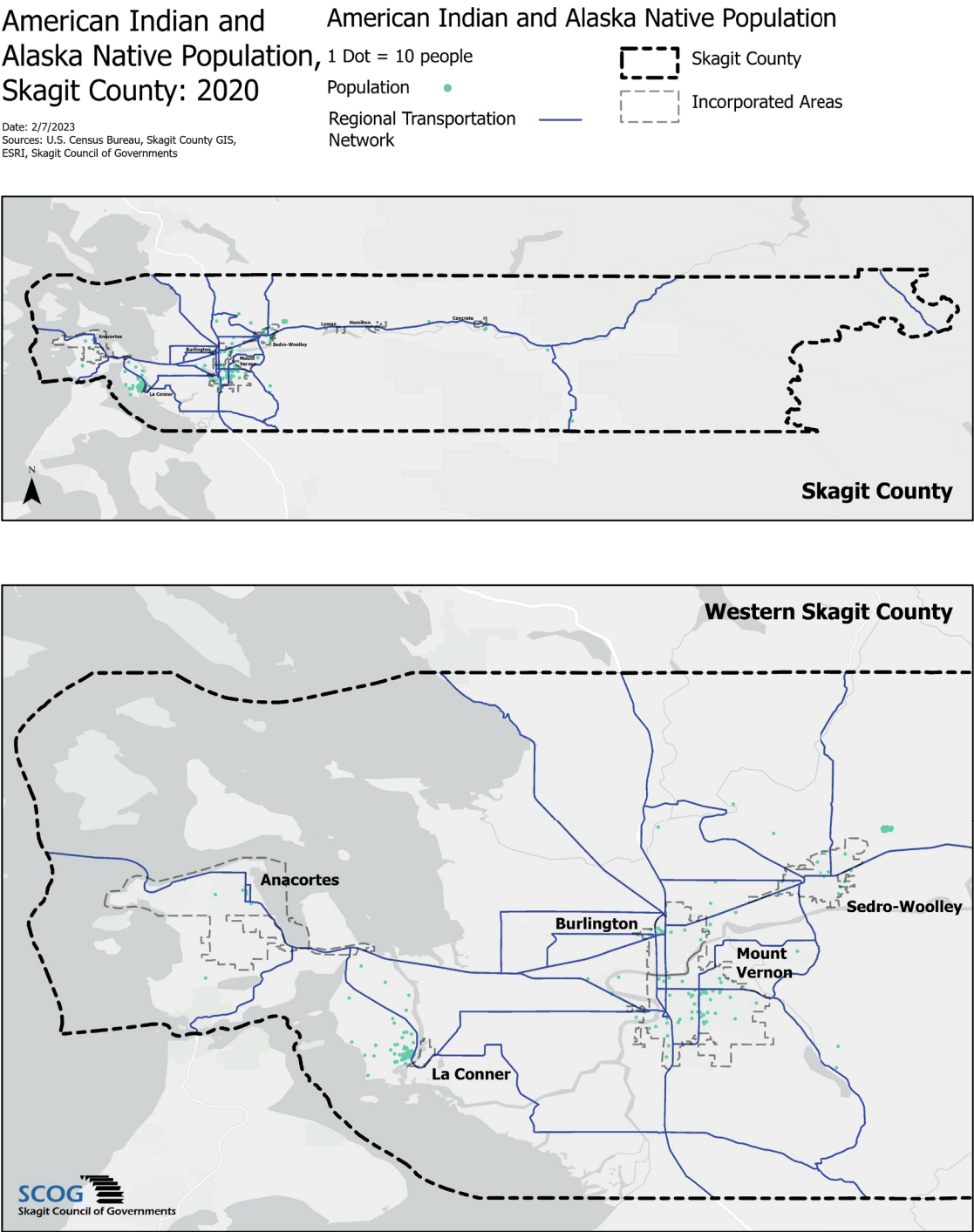
Figure 17.



Source: 2020 U.S. Census Table P1

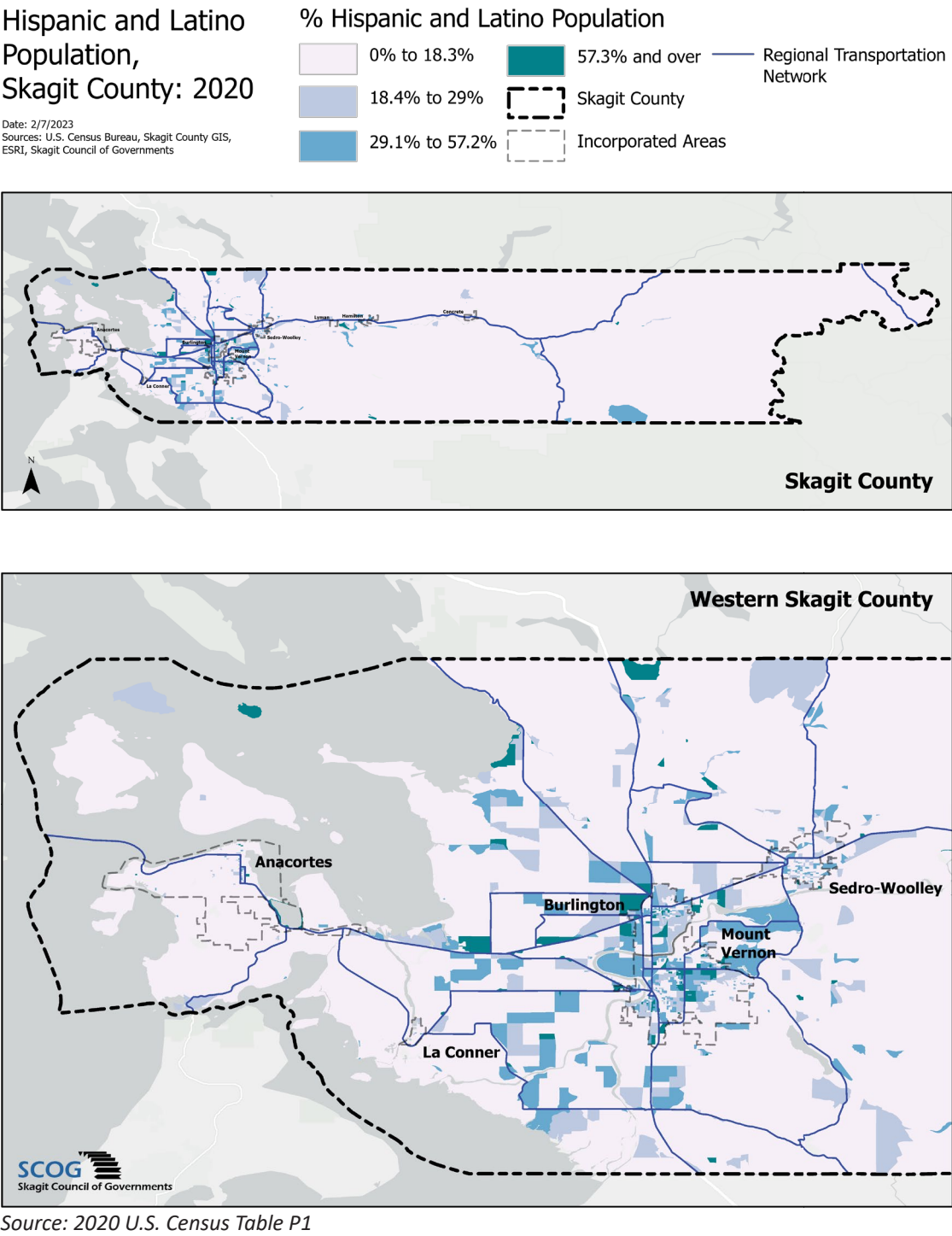
# POPULATIONS: RACE AND ETHNICITY

Figure 18.



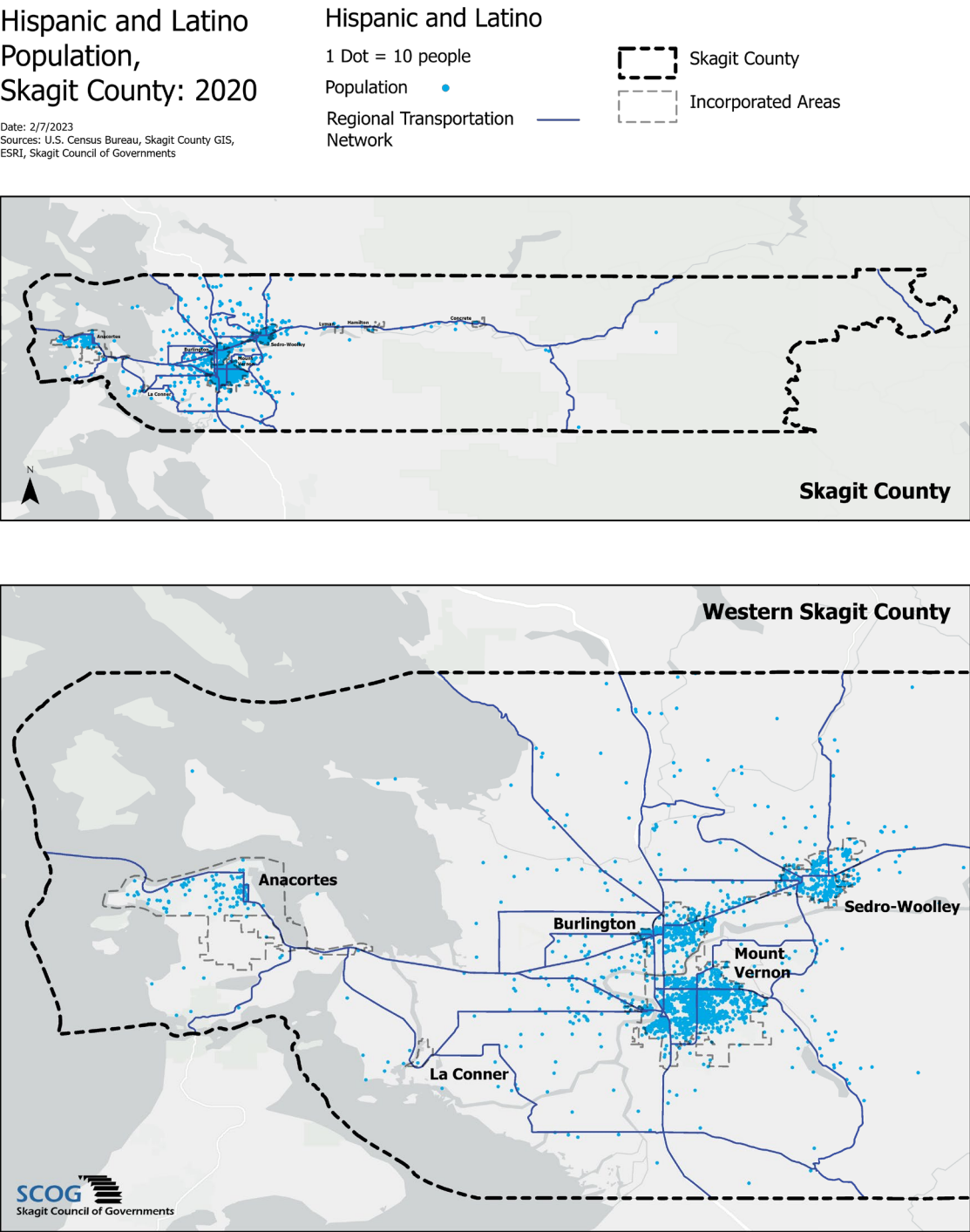
# POPULATIONS: RACE AND ETHNICITY

Figure 19.



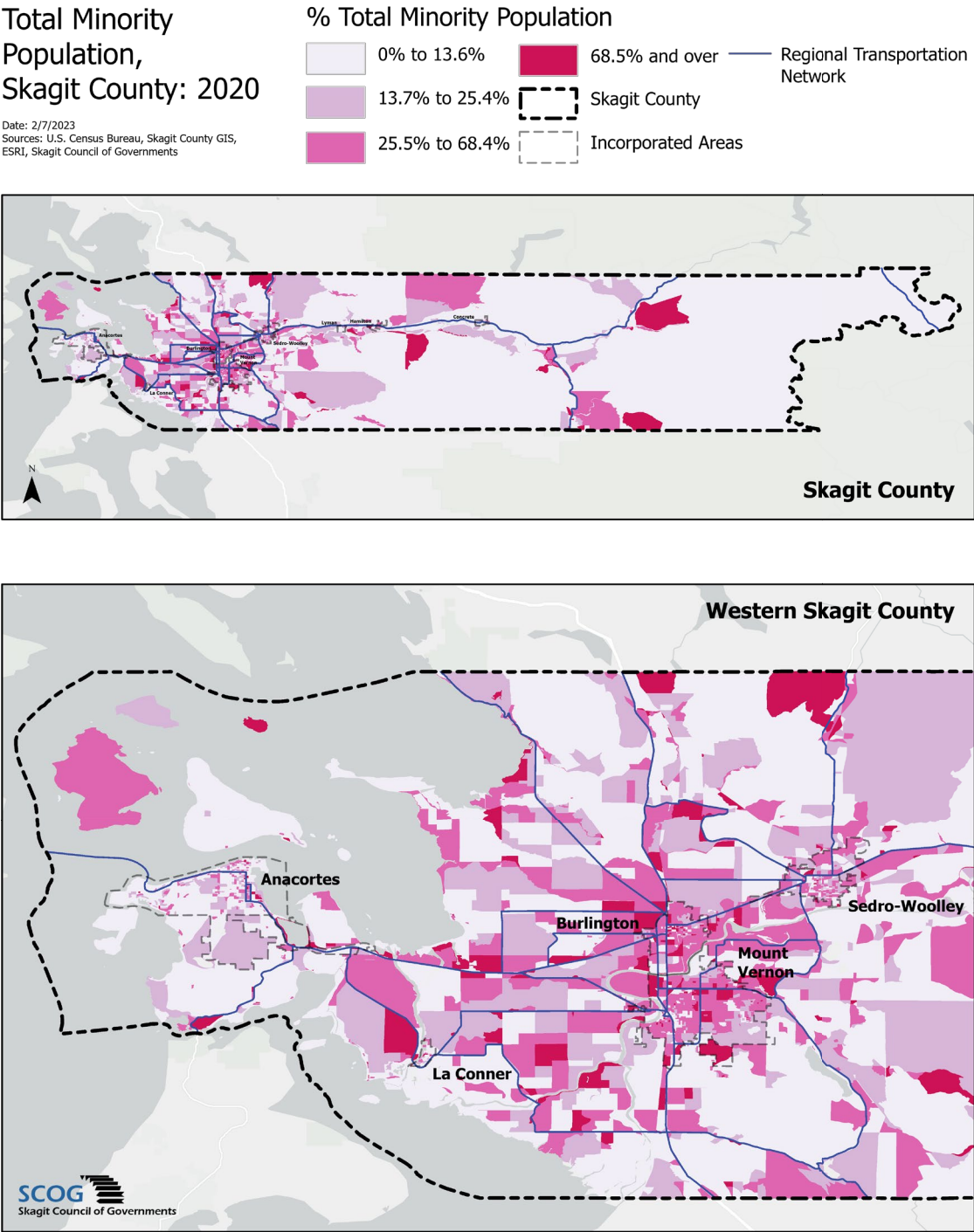
# POPULATIONS: RACE AND ETHNICITY

Figure 20.



# POPULATIONS: RACE AND ETHNICITY

Figure 21.

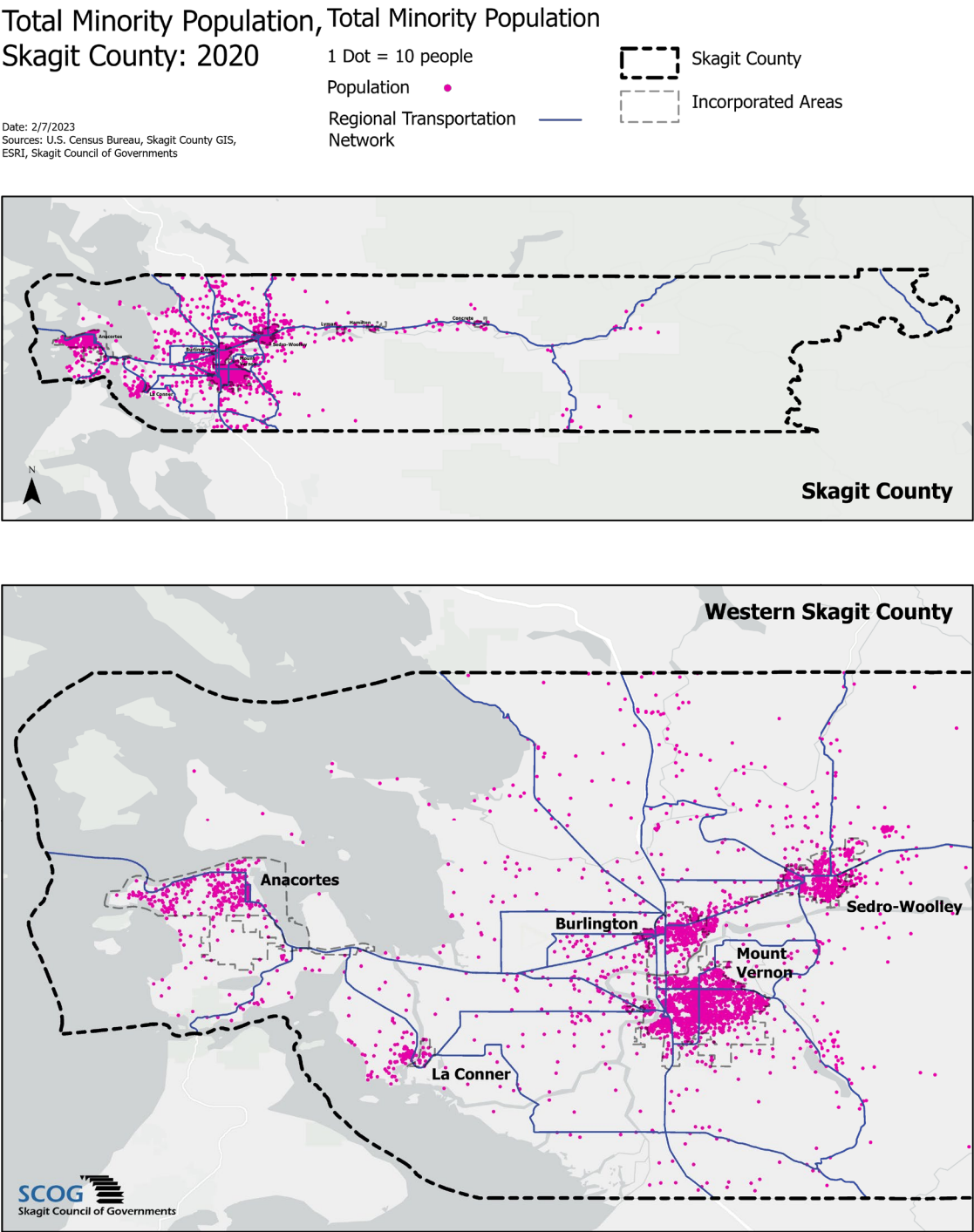


Source: 2020 U.S. Census Table P1



# POPULATIONS: RACE AND ETHNICITY

Figure 22.



Note: Dot density mapping randomly assigns points within geographies. The data geography used for this map is Census block.

Source: 2020 U.S. Census Table P1

## POPULATIONS: LANGUAGE

**Table 10. Persons with Limited English Proficiency: 2021**

Limited English Proficiency											
Total Population Age 5 and Over		Persons with Limited English Proficiency		Language Spoken At Home Other Than English							
				Spanish		Other Indo- European Languages		Asian and Pacific Island Languages		Other Languages	
Estimate	Margin of Error (+/-)		Margin of Error (+/-)		Margin of Error (+/-)		Margin of Error (+/-)		Margin of Error (+/-)		Margin of Error (+/-)
123,675	1,221	8,874	4,172	7,338	2,265	914	812	622	456	0	639

Source: 2021 American Community Survey 1-year Estimates, Table C16004

Notes: Estimates highlighted in **red** indicate unreliable data. Coefficients of variation for these data were above the rate of 15%. 2017-2021 5-year Estimates, which likely would have produced more reliable data, were not available for Table C16004.

In 2021, there were an estimated 8,874 persons with limited English proficiency in Skagit County, of the total population age 5 and over. This estimate is over 7% of the population of Skagit County. Among individuals who spoke English less than "very well," the most prevalent language spoken was Spanish or Spanish Creole. Other notable languages spoken around Skagit County include other Indo-European languages such as Russian, Polish, and other Slavic languages, and Asian and Pacific Island languages such as Tagalog and Korean.

**Table 11. Language Spoken at Home by Ability to Speak English, Persons Age 5 Years and Over: 2017-2021**

Language Spoken at Home		Estimate	Margin of Error (+/-)	Percentage of Total Population
Speaks English Less than "Very Well"	Spanish or Spanish Creole	6,265	646	5.2%
	Other and Unspecified Languages	232	183	0.2%
	Russian, Polish, and other Slavic Languages	419	202	0.3%
	Tagalog	142	58	0.1%
	Korean	29	20	0.0%
	All other Languages	451	343	0.4%
	All Languages	7,538	1,452	6.2%
Speaks English "Very Well" or "Speaks Only English"		113,303	2,541	93.8%
Total Population		120,841	34	100.0%

Source: 2017-2021 American Community Survey 5-year Estimates, Table C16001

Notes: Table B16001 was not available for the 2017-2021 period.

## POPULATIONS: LANGUAGE

**Table 12. Common Languages Other than English Spoken in Skagit County: 2021**

Rank	Language(s)	Estimate	Margin of Error (+/-)
1	Spanish or Spanish Creole	16,240	739
2	Slavic languages	945	304
3	Other Asian and Pacific Island languages	614	158
4	Tagalog	586	182
5	Other Indo-European languages	420	133
6	Other and unspecified languages	407	193
7	German or other West Germanic languages	288	80
8	French (including Patois, Creole, Cajun)	262	117
9	Chinese	258	103
10	Arabic	113	65
11	Korean	74	35
12	Vietnamese	49	42

Source: 2021 American Community Survey 1-year Estimates, Table C16001

Notes: The Coefficients of variation are above 15% for all language estimates other than Spanish or Spanish Creole, and are not considered reliable by the U.S. Census Bureau. These values are highlighted in red.

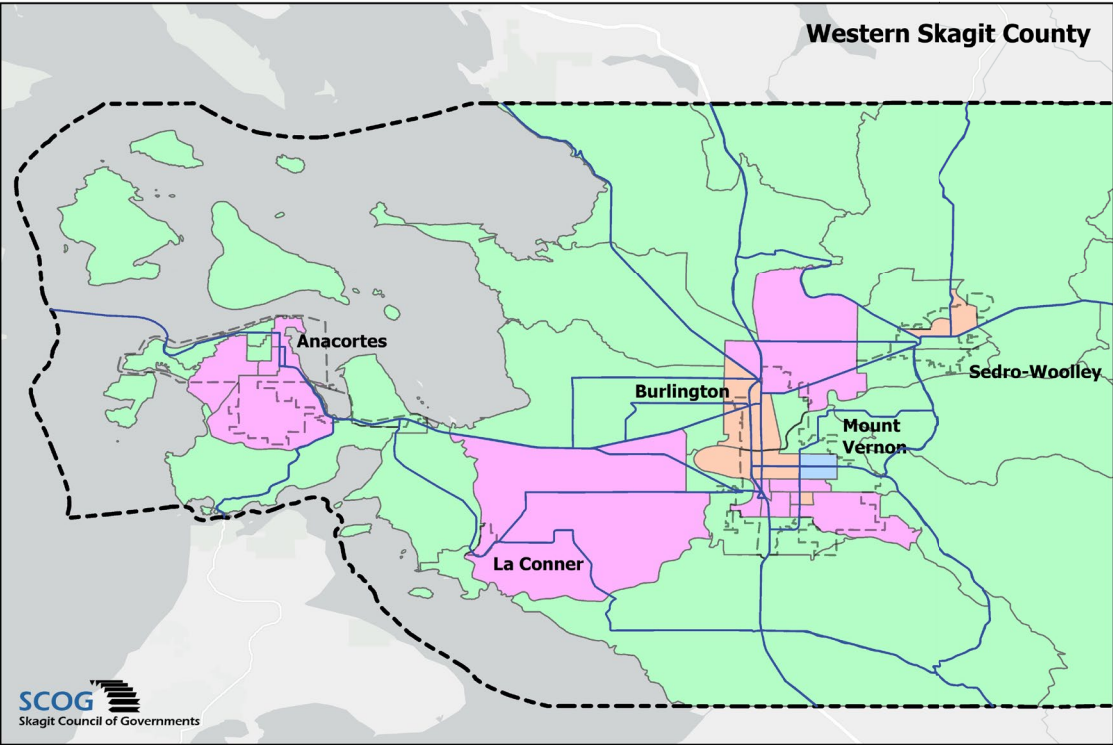
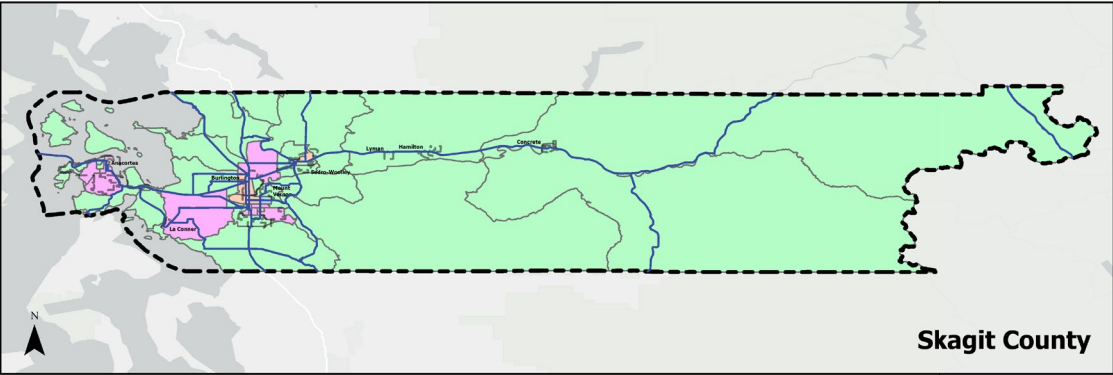
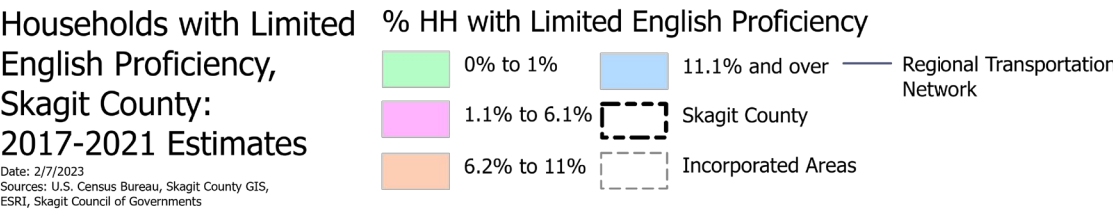
Of the languages spoken in Skagit County in 2021 other than English, only Spanish or Spanish Creole had a reliable estimate - ranking number one among all non-English languages spoken. Compared with 2018 estimates, the number of Spanish or Spanish Creole speakers decreased by 1,257 speakers.

The following figures 23 and 24 illustrate the distribution of limited English proficiency populations across Skagit County, along with the highest rates of limited English proficiency households by Census tract. An average of 6.2% of households across Skagit County were identified as having limited English proficiency; this average was used as a threshold to map these geographies.



# POPULATIONS: LANGUAGE

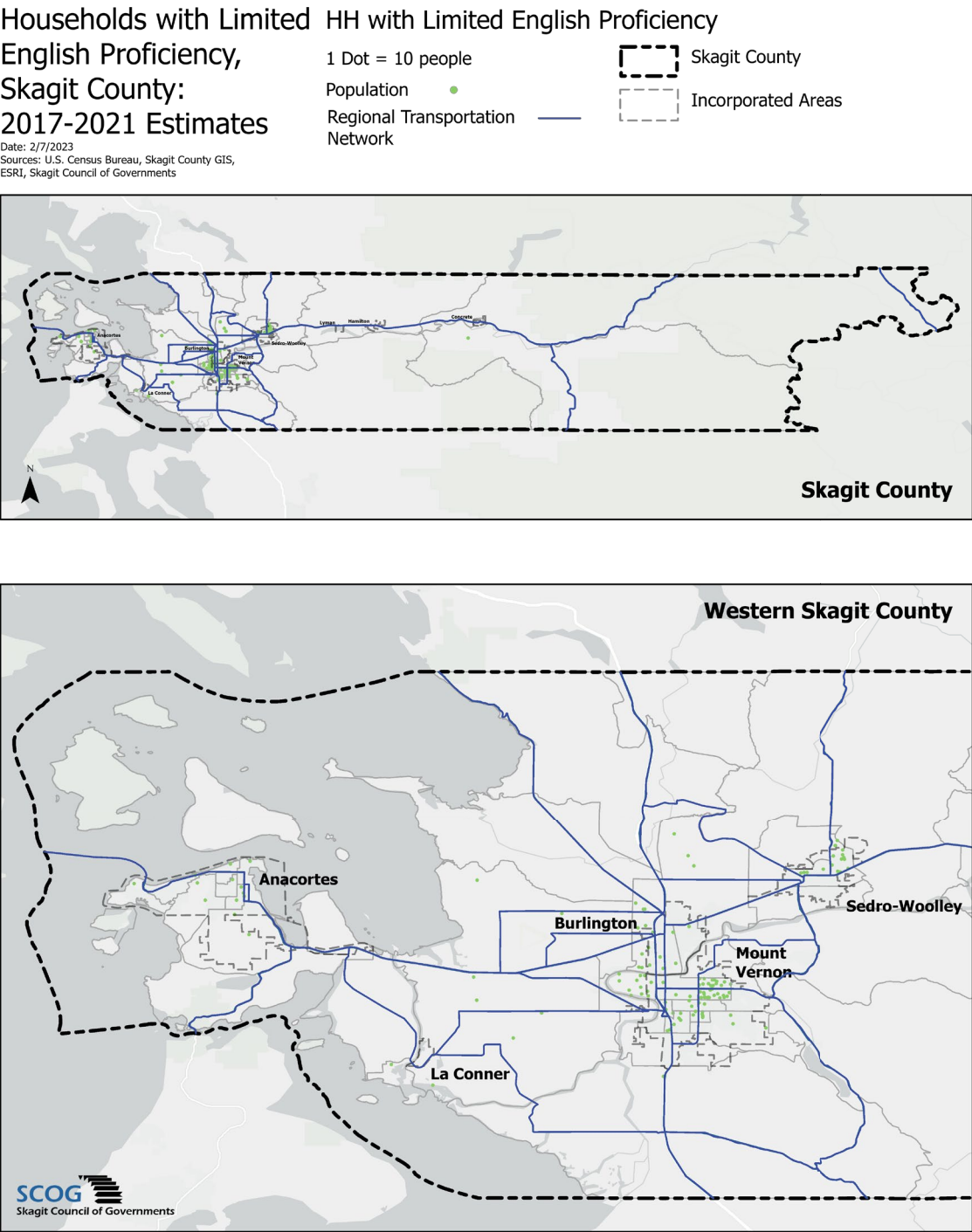
Figure 23.



Source: 2017-2021 American Community Survey Five-Year Estimates, Table S1602

# POPULATIONS: LANGUAGE

Figure 24.



Note: Dot density mapping randomly assigns points within geographies. The data geography used for this map is Census tract.

Source: 2017-2021 American Community Survey Five-Year Estimates, Table S1602

## POPULATIONS: NATIONAL ORIGIN

**Table 13. Foreign Born Population by World Region of Birth, Skagit County: 2017-2021**

		Estimate	Margin of Error (+/-)	Rate (%)	Margin of Error (+/-)
Total Population		128,228	N/A	N/A	N/A
Foreign Born Population	Total Population	12,123	745	<b>9.5%</b>	6.1%
	Born in Europe	1,542	384	12.7%	49.8%
	Born in Asia	1,782	322	14.7%	18.1%
	Born in Africa	156	112	1.3%	71.8%
	Born in Oceania	77	58	0.6%	75.3%
	Born in Latin America	7,626	1073	62.9%	14.1%
	Born in North America	940	268	7.8%	28.5%

Source: 2017-2021 American Community Survey 5-Year Estimates, Table B05002

Notes: Estimates highlighted in **red** indicate unreliable data. Coefficients of variation for these data were above the rate of 15%.

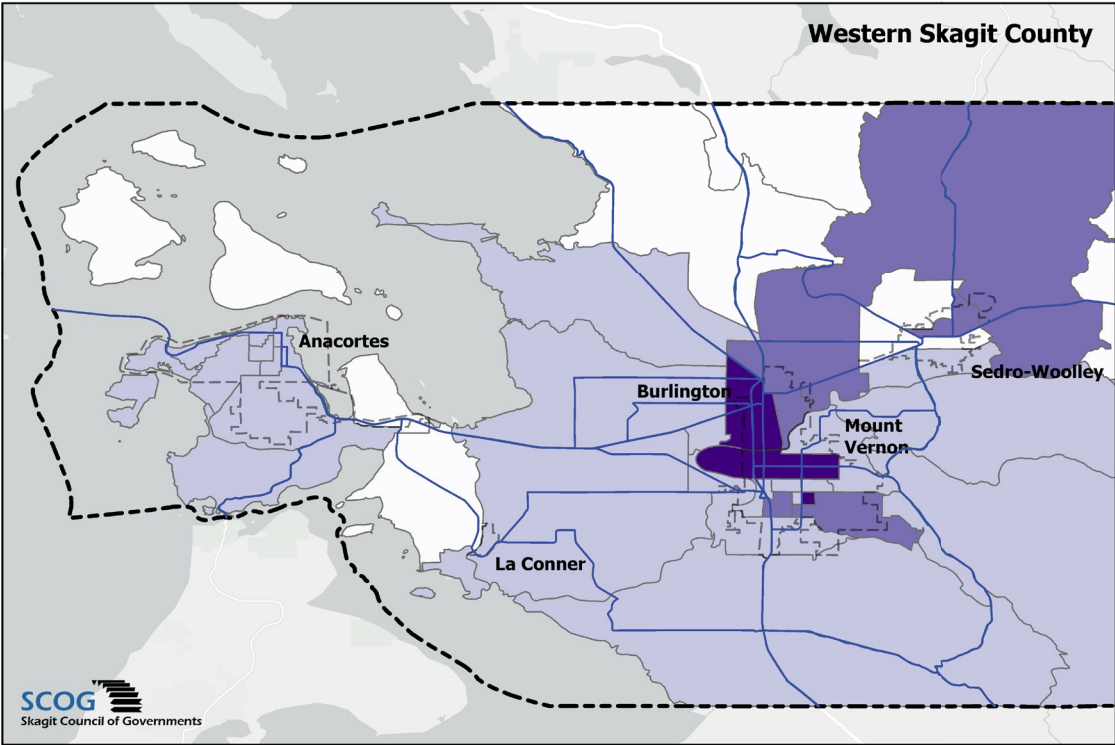
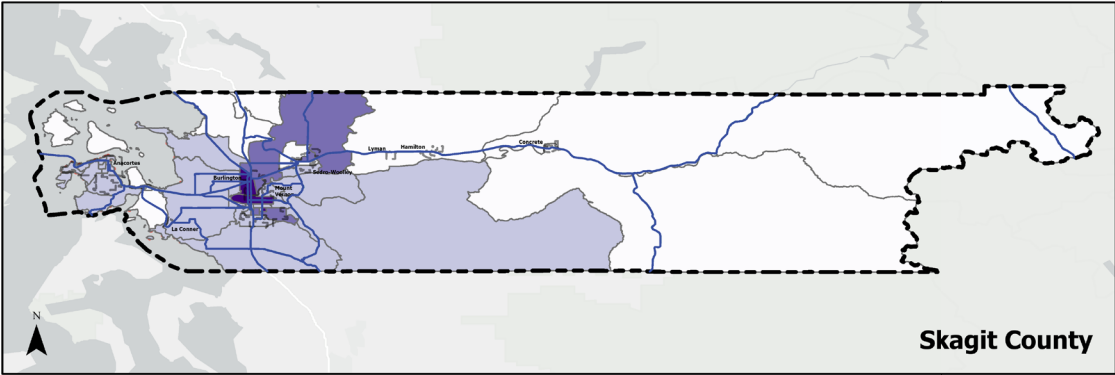
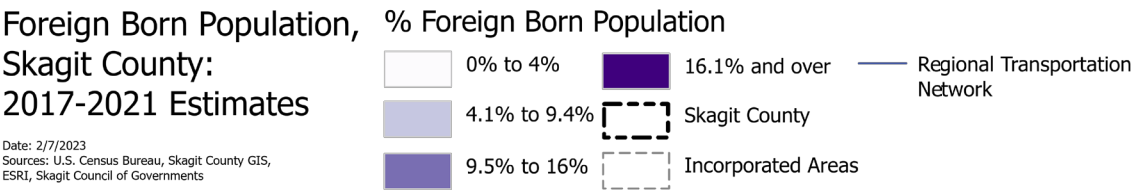
Percentage rates in **bold** are used on maps as thresholds to determine higher than average populations of persons with disabilities.

In the 2017-2021 time period, 9.5% of Skagit County's population was estimated to have been born outside the United States. Among this population, those born in Latin America was the largest population residing in Skagit County. Nearly 63% of foreign born residents were born in this world region. Asian-born and European-born Skagit County residents were estimated to be the second and third largest foreign born populations, although both estimates are considered unreliable.

Figures 25 and 26 illustrate the distribution of foreign born populations across Skagit County, along with the highest per capita rates of foreign born persons by Census tract. An average of 9.5% of the countywide population was identified as foreign born; this average was used as a threshold to map these geographies.

# POPULATIONS: NATIONAL ORIGIN

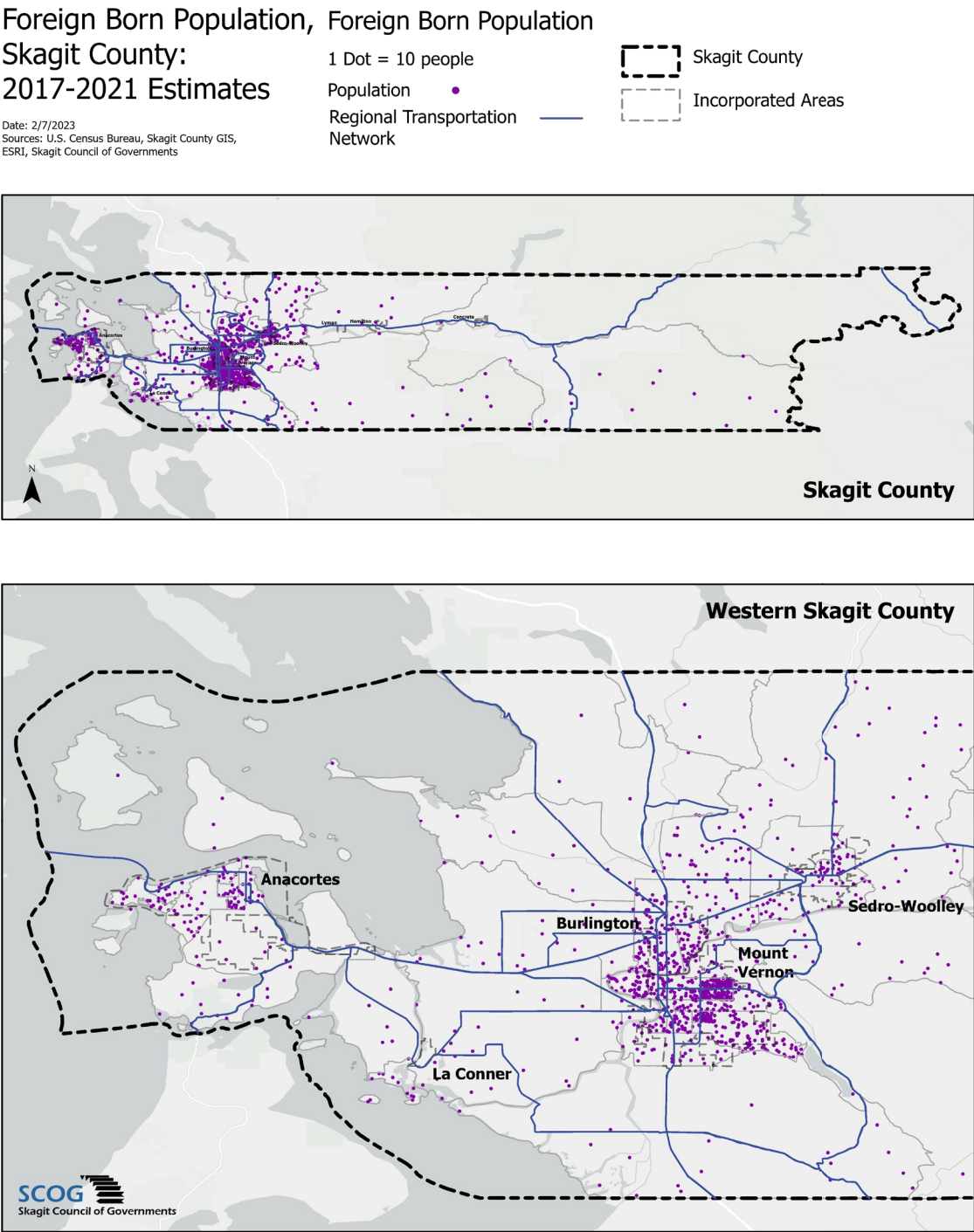
Figure 25.



Source: 2017-2021 American Community Survey Five-Year Estimates, Table B05002

# POPULATIONS: NATIONAL ORIGIN

Figure 26.



**APPENDIX 5: ENVIRONMENTAL JUSTICE ANALYSIS**

---





# Environmental Justice & Title VI Assessment of STBG and TA Projects Selected for SCOG Federal Funds in Skagit County

April 2020-April 2023



315 S. 3rd St. Suite #100  
Mount Vernon, WA 98273

Title VI Notice: The Skagit Council of Governments fully complies with Title VI of the federal Civil Rights Act of 1964 and related statutes, and does not discriminate on the basis of race, color or national origin. For more information, or to obtain a Title VI Complaint Form, visit SCOG's website at <http://scog.net/about/nondiscrimination/>.

Aviso del Título VI al público: El Consejo de gobiernos de Skagit cumple plenamente con el Título VI de la Ley federal de derechos civiles de 1964 y los estatutos relacionados, y no discrimina por motivos de raza, color u origen nacional. Para mayor información, o para obtener un Formulario de queja del Título VI, visite el sitio web del SCOG en <http://scog.net/about/nondiscrimination/>.

ADA Notice: The Skagit Council of Governments fully complies with Section 504 of the Rehabilitation act of 1973 and the Americans with Disabilities Act of 1990 (ADA) and does not discriminate on the basis of disability. For more information, or to file a grievance contact the ADA Coordinator, Kevin Murphy at 360-416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net).

Aviso de la ADA para el público: El Consejo de Gobiernos de Skagit cumple plenamente con la Sección 504 de la Ley de Rehabilitación de 1973 y la Ley de Americanos con Discapacidades de 1990 (ADA) y no discrimina por motivos de discapacidad. Para obtener más información, o para presentar una queja, póngase en contacto con el Coordinador de la ADA, Kevin Murphy en 360-416-7871 or [kmurphy@scog.net](mailto:kmurphy@scog.net).

Additional copies of this document, including written materials in alternate formats, may be obtained by contacting SCOG. Persons who are deaf or hard of hearing may contact SCOG through TTY Relay 711.

Skagit Council of Governments  
315 S 3rd St. Suite #100  
Mount Vernon, WA 98273  
(360) 416-7876  
[info@scog.net](mailto:info@scog.net)



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# INTRODUCTION

Environmental Justice (EJ) principles protect minority populations and low-income populations from disproportionate adverse effects of programs, policies, and activities. Because the Skagit Council of Governments (SCOG) receives federal funds to conduct the transportation program in Skagit County, EJ protections apply. A component of EJ is assessment of funding decisions made on local projects to determine if funds are being awarded and distributed in a manner that does not have a disproportionate adverse effect on EJ protected populations. This EJ assessment is for transportation projects in Skagit County that have been awarded funds over the past three years, from April 2020-April 2023.

Projects included in this EJ assessment were all awarded Surface Transportation Block Grant Program (STBG) or Transportation Alternatives (TA) funding in Skagit County. These programs are established under federal transportation law, most recently the Infrastructure Investment and Jobs Act (IIJA), which was signed into law in 2021.

Skagit County has a metropolitan planning organization (MPO) due to the fact that it has a federally designated urbanized area. MPOs are designated around the United States, in locations with urbanized areas, to conduct continuous, cooperative, and comprehensive transportation planning processes. SCOG is the MPO for Skagit County.

This EJ assessment includes a description of a demographic profile, completed by SCOG in 2023, which provides the information base on which projects are assessed. Also included is a list of all the projects awarded funds during the April 2020-April 2023 period with the award date(s), award amount, and program which the award was made through. Finally, all projects are assessed along with funding distribution to the Census block (minority) and Census tract (low-income) levels. A 100-foot buffer is applied to all projects to ensure that adjacent Census blocks and tracts are captured in the analysis. A conclusion section at the end of the document presents the findings of the assessment and considerations for future project award decisions incorporating EJ principles into project evaluation decisions prior to selecting funds.

There were other transportation projects within Skagit County that were selected for federal or state funds during the three-year review period, but because SCOG was not involved in the decision to award these other funds, they are not included in this EJ assessment. Only transportation projects that were awarded funds through a SCOG selection process are included.

# DEMOGRAPHIC PROFILE

In 2023, SCOG completed a demographic profile for Skagit County which included identifying the location and concentration of minority and low-income populations around Skagit County. The demographic profile primarily used data available from the U.S. Census Bureau, through the American Community Survey (ACS) and 2020 decennial Census, to identify these protected populations and provide for an analytical basis to assess programs, policies, and activities of SCOG - including funding decisions used to award federal funds to transportation projects in Skagit County.

Environmental Justice began under a 1994 Executive Order of President Clinton, which directed federal agencies to develop strategies that address disproportionately high and adverse effects of programs, policies, and activities on minority populations and low-income populations. Minority populations include self-identified: American Indians and Alaska Natives; Asians; Blacks or African Americans; Hawaiian and Other Pacific Islanders; and Hispanic or Latinos. Low-income persons include self-identified persons whose median income is at or below the federal Department of Health and Human Services poverty guidelines. Subsequent to the Executive Order, the U.S. Department of Transportation, Federal Highway Administration, and Federal Transit Administration issued orders and guidance that apply to SCOG's transportation program.

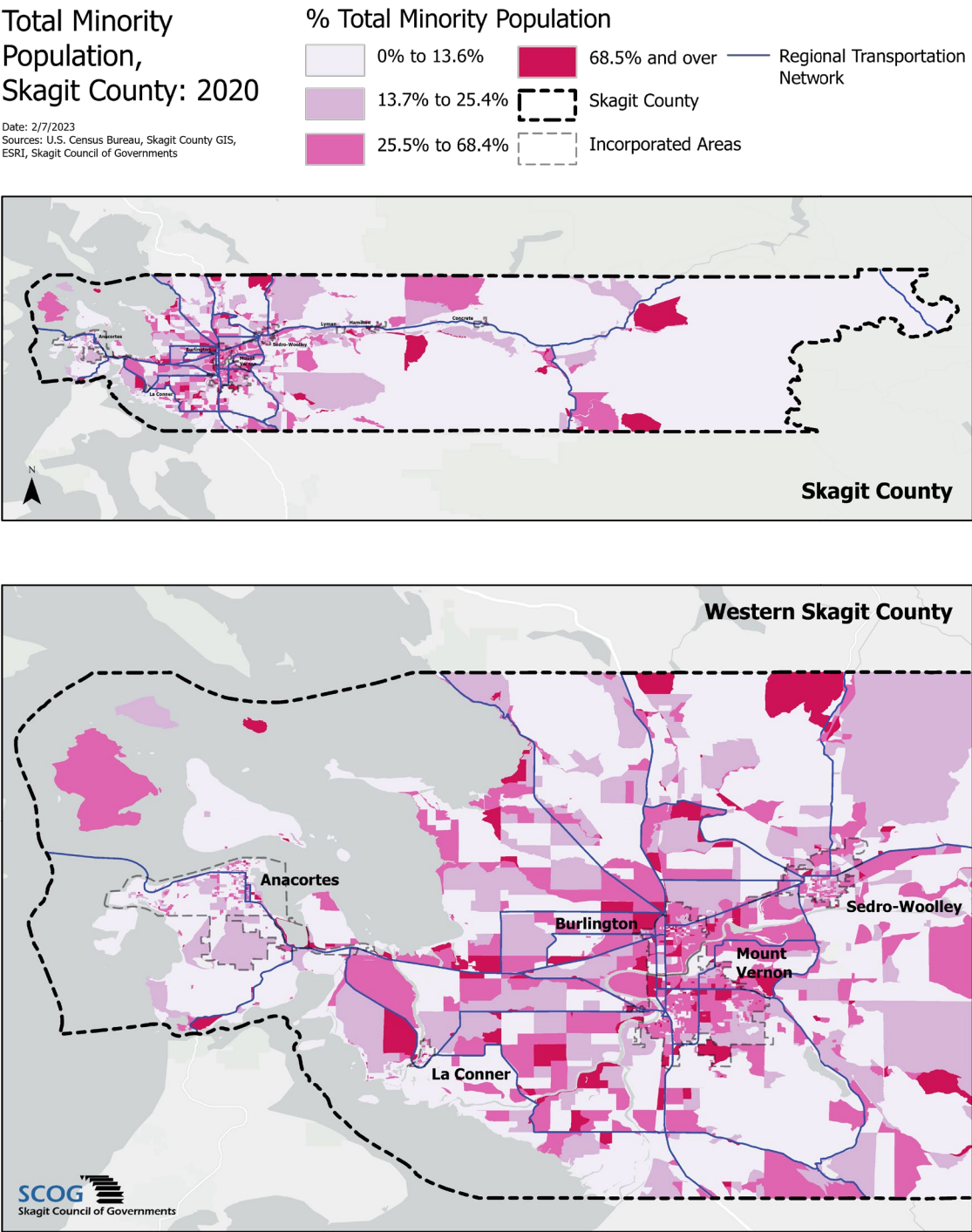
The 2023 demographic profile included the establishment of thresholds for racial and ethnic populations and thresholds for low-income populations. These thresholds assist with identifying these EJ protected populations and are based upon the percentage of these populations relative to the population of the entire county. The minority population threshold is set at **25.5%**, as this percentage of the total county population is in EJ protected minority populations, according to 2020 decennial Census data. The threshold for low-income persons is set at **11.1%**, as this percentage of the total county population is below the poverty level, according to 2017-2021 ACS estimates.

Other groups are included in the demographic profile that are not EJ protected populations, but protected populations through Title VI of the Civil Rights Act and other nondiscrimination statutes. These groups include: those with limited English proficiency, foreign-born populations, seniors, youth, women, and persons with disabilities. This EJ assessment of awarded funds through the STBG and TA selection process does not include an analysis of these additional groups, though further analysis to include these groups may inform future funding decisions to ensure that actions on funding are not having a discriminatory impact on any populations protected by statutes or regulations.

Hard copies of the demographic profile are available to the public free-of-charge at the SCOG offices, located at 315 South 3rd Street Suite #100, Mount Vernon, Washington 98273. The electronic version of the demographic profile can be found at: [https://www.scog.net/Demographics/2023\\_Skagit\\_County\\_Demographic\\_Profile.pdf](https://www.scog.net/Demographics/2023_Skagit_County_Demographic_Profile.pdf). Maps of minority populations and low-income populations are included as **Figure 1 & 2**.

# DEMOGRAPHIC PROFILE

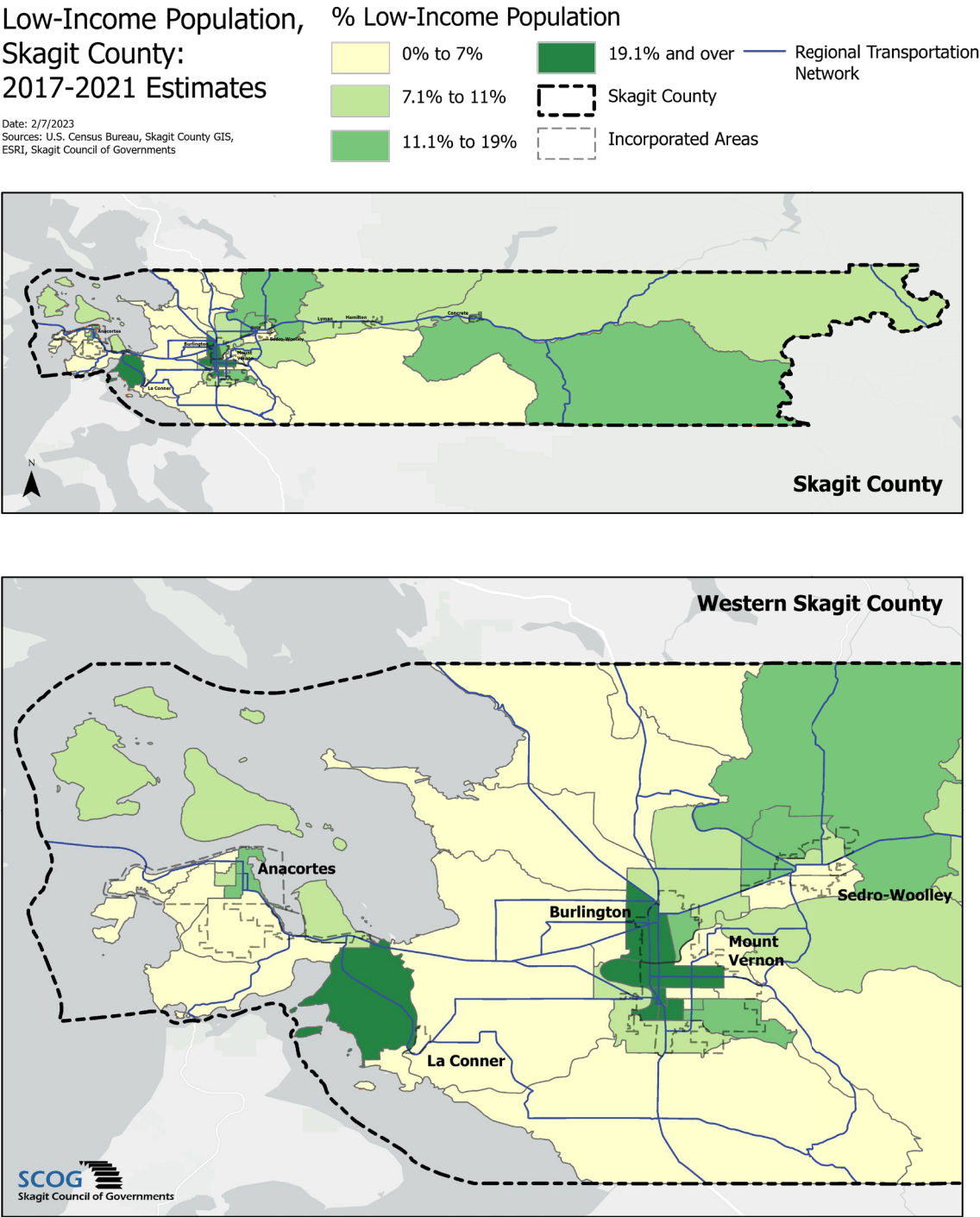
Figure 1.



Source: 2020 U.S. Census Table P1

# DEMOGRAPHIC PROFILE

Figure 2.



Source: 2017-2021 American Community Survey Five-Year Estimates, Table B17001

# PROJECTS AWARDED FUNDS

Six projects were awarded either STBG or TA funds from April 2020-April 2023 in Skagit County through a SCOG selection process, which were identified to have a specific geographic impact. Of these projects, all are mapped and included in this Environmental Justice assessment. The list of projects awarded funds is in **Table 1**. Maps of all the projects awarded STBG or TA funds from April 2020-April 2023 in Skagit County through a SCOG selection process are included in **Figure 3** and **Figure 5**, showing the proximity of these projects to Environmental Justice communities.

**Table 1. Projects Awarded STBG or TA Funds in Skagit County: April 2020 - April 2023**

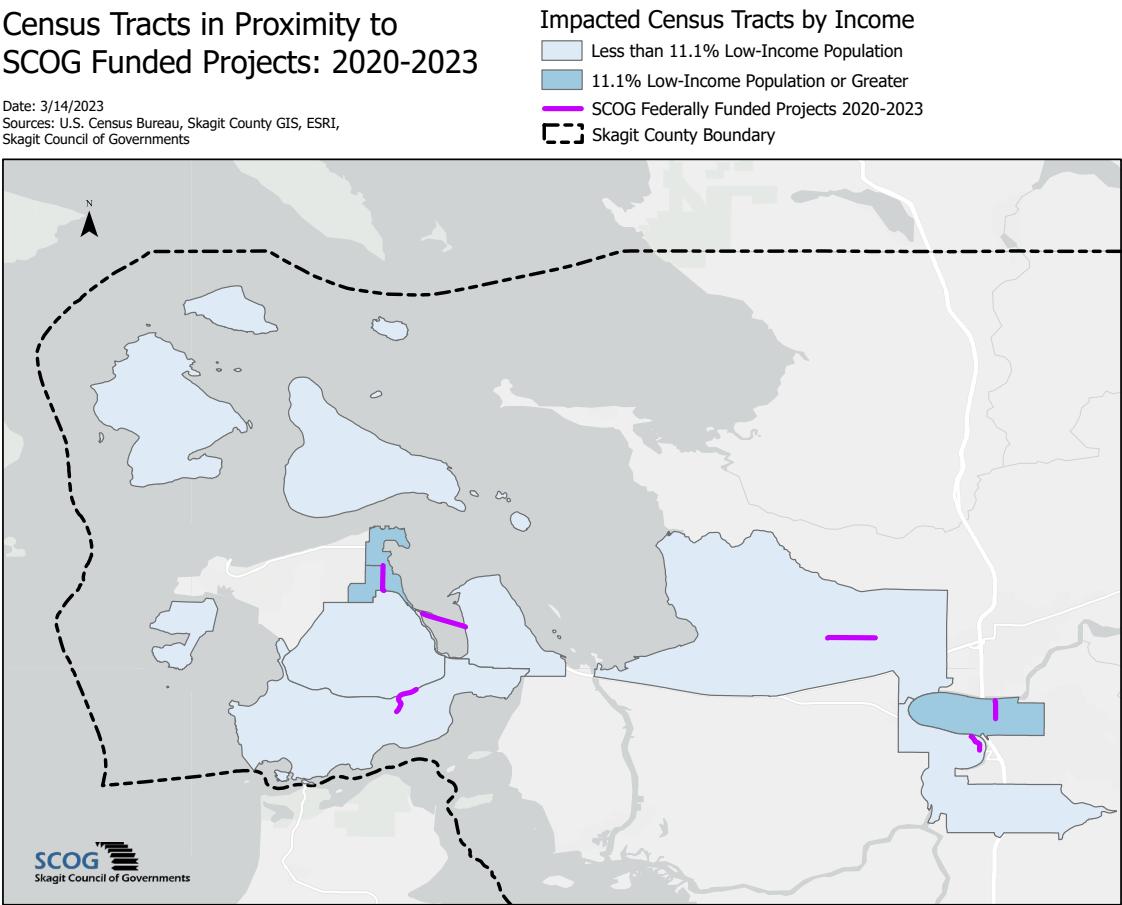
Sponsor	Project	Award Amount	Award Date	Program
Anacortes	R Avenue Long-Term Improvements	\$859,087	Jul-21	STBG
Mount Vernon	Riverside Drive Improvements - 2	\$348,000	Jul-21	STBG
Samish Indian Nation	SR 20/Campbell Lake Road - Intersection Improvement	\$1,285,200	Jul-21	STBG
Skagit County	Peterson Road Improvements	\$261,613	Jul-21	STBG
Samish Indian Nation	Tommy Thompson Trail: Trestle and Causeway Replacement	\$160,650	Jul-21	TA
Mount Vernon	River Dike Trail System - Phase 1	\$263,000	Jul-21	TA

# PROJECT IMPACTS: LOW-INCOME TRACTS

Between April 2020 and April 2023, SCOG selected six projects for STBG or TA funding with a specific geographic impact. Three of these projects were in proximity to Census tracts with a poverty rate higher than the regional average. These projects were located in the incorporated cities of Anacortes and Mount Vernon, and unincorporated Skagit County on Fidalgo Island. Of all 41 Census tracts in Skagit County, 14, or 34.1%, were identified as having a poverty rate higher than the regional average. Of all Census tracts in proximity to funded projects, 37.5%, or 3 out of 8, were identified as Environmental Justice low-income tracts.

Among all funded projects, project types and expected outcomes varied widely. Some projects, such as the City of Anacortes’ R Avenue Long-Term Improvements project, construct a non-transversible median, add transit pullouts, non-motorized improvements, street lighting and traffic calming measures. Other projects, such as Skagit County’s Peterson Road Improvements, increase economic vitality by improving access to a major industrial area. Many projects improve safety, such as the Samish Indian Nation’s SR 20/Campbell Lake Road - Intersection Improvement which adds a three-legged roundabout to improve both safety and access to nearby tribal properties. Additionally, all six projects will add or improve non-motorized infrastructure.

Figure 3.

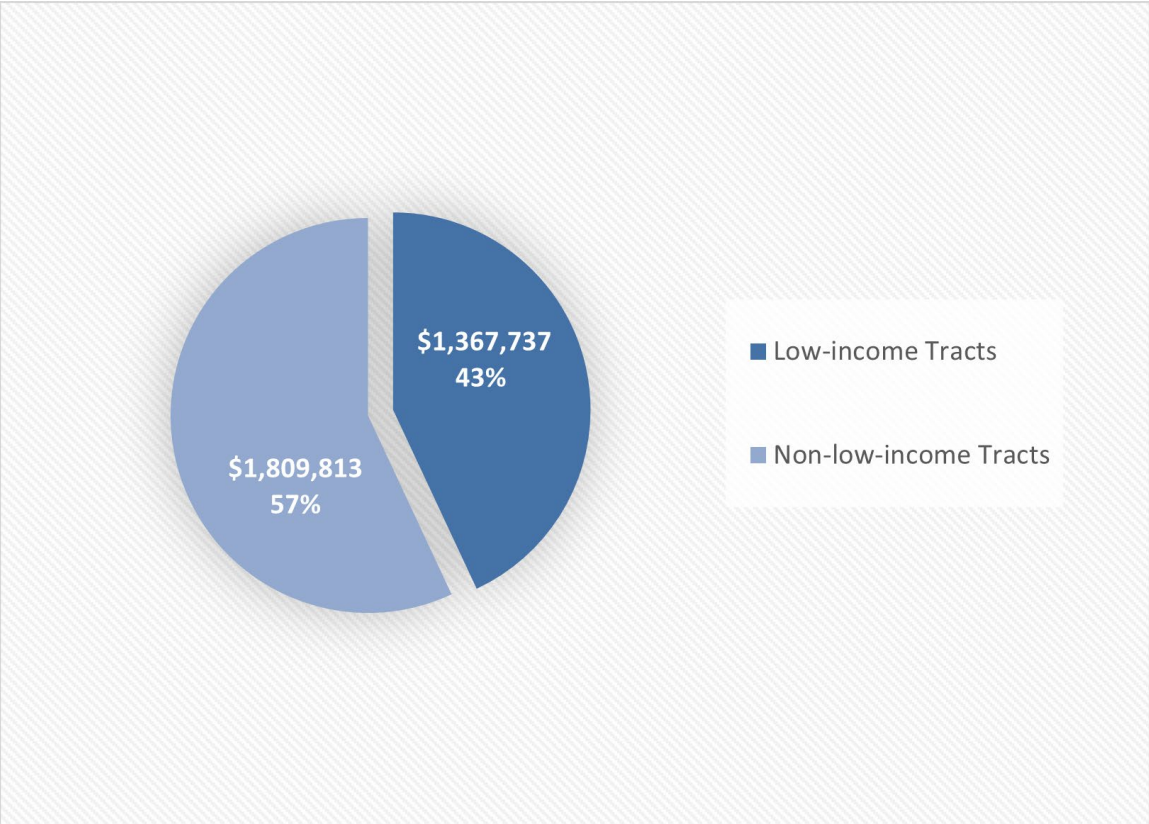




# PROJECT IMPACTS: LOW-INCOME TRACTS

Out of \$3,175,550 in STBG and TA funds awarded through a SCOG process with a specific geographic impact, 43% of the funds were awarded to projects in proximity to identified low-income Census tracts. **Figure 4** below shows the amount of funding awarded in proximity to low-income and non-low-income Census tracts from April 2020 to April 2023.

**Figure 4. STBG & TA Funding Awarded to Low-Income and Non-Low-Income Tracts in Skagit County: April 2020-April 2023**



This is substantially above the rate of 34.1% identified Environmental Justice Census tracts, or 14 out of 41 tracts, countywide. Investments in these areas aim to increase safety for users of all modes, create new non-motorized and roadway connections, build resilience by improving access for emergency management, and maintain and preserve existing facilities.

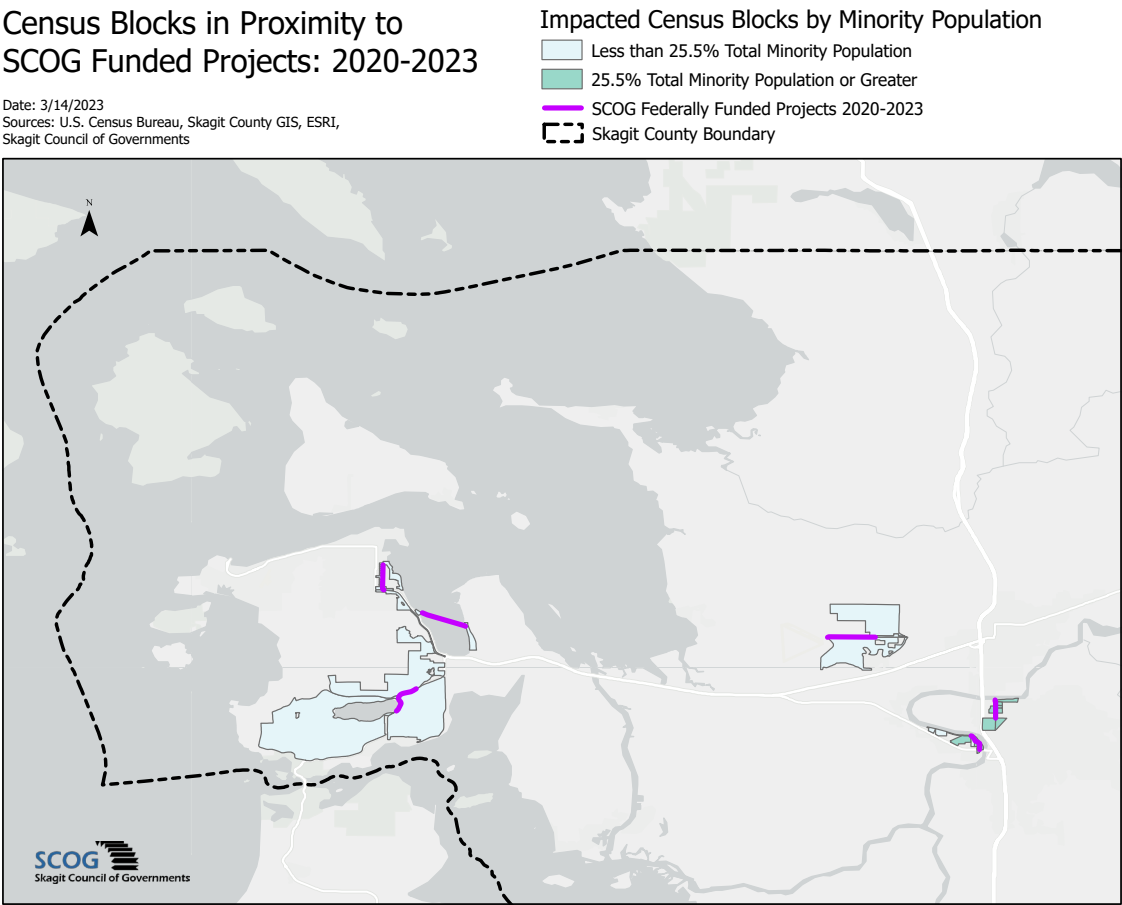


# PROJECT IMPACTS: MINORITY BLOCKS

Out of the six projects selected for STBG or TA funding between April 2020 and April 2023, which were identified to have a specific geographic impact, three were in proximity to Census blocks with a self-identified minority population higher than the regional average. These projects were located in the incorporated cities of Anacortes and Mount Vernon. Of all 2,049 Census blocks in Skagit County, 984, or 48%, were identified as having a minority population higher than the regional average. Of all Census blocks in proximity to funded projects, 53.8%, or 21 out of 39, were identified as Environmental Justice minority tracts.

Projects located in proximity to minority Census blocks included intersection and signalization improvements, road maintenance and preservation, nonmotorized facilities, transit capital projects, and capacity expansion projects. The City of Anacortes’ R Avenue Long-Term Improvements Improvements project impacted the most distinct minority Census blocks, with 8 out of 16 Census blocks touched identified as an Environmental Justice minority block. Two of the three projects not in proximity to minority Census blocks, the Samish Indian Nation’s SR 20/Campbell Lake Road Intersection Improvement and the Tommy Thompson Trail: Trestle and Causeway Replacement, are sponsored by a sovereign American Indian nation and tribal community, which is identified as a minority population by the United States Census Bureau.

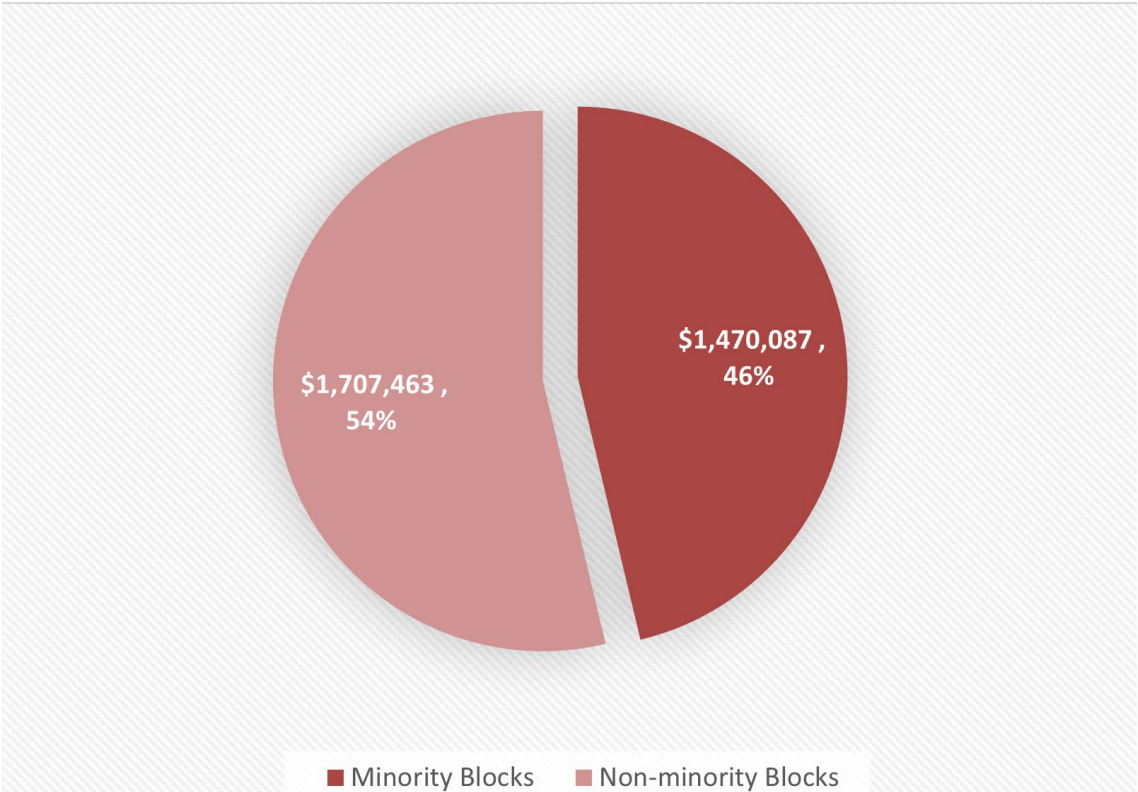
Figure 5.



# PROJECT IMPACTS: MINORITY BLOCKS

Out of \$3,177,550 in STBG and TA funds awarded through a SCOG process with a specific geographic impact, 46% of total funding went to projects located in proximity to identified minority Census blocks. **Figure 6** below shows the amount of funding awarded in proximity to minority and non-minority Census tracts from April 2020 to April 2023.

**Figure 6. STBG & TA Funding Awarded to Minority and Non-Minority Census Blocks in Skagit County: April 2020-April 2023**



Of all STBG and TA funded projects with a specific geographic impact, 53.8% were located in proximity to minority Census tracts, while 46% of funds, or \$1,470,087 were awarded to projects in these areas. This is slightly below the rate of 48% identified Environmental Justice Census blocks, or 948 out of 2,049 blocks, countywide. Investments in these areas aim to improve access to multiple travel modes including roadway preservation and maintenance, capacity expansion for increased mobility, roadway safety and expansion of nonmotorized facilities.

# Title VI Transit Assessment

As a subrecipient of Federal Transit Administration (FTA) funds, SCOG aims to meet the metropolitan planning organization requirements for submitting a Title VI Program as outlined in FTA Circular 4702.1B. SCOG utilizes the demographic profile, updated in 2023, to identify Title VI minority populations; the demographic profile acts as a basis for Environmental Justice, as well as this Title VI, assessment. During the April 2020-April 2023 time period, SCOG selected one project for STBG award specifically for public transit purposes. This project was determined to have no specific geographic impact. Transit projects selected for award are included in **Table 2** below.

**Table 2. Transit Projects Awarded STBG Funds in Skagit County: April 2020-April 2023**

Sponsor	Project	Award Amount	Award Date	Program
Skagit Transit	Bus Stop Amenities	\$56,100	Jul-21	STBG

Total funding awarded to transit projects from April 2020 to April 2023 was \$56,100. None of these funds, were identified to have a specific geographic impact, as the project was determined to benefit the entire region served by Skagit Transit.

Skagit Transit, the region’s primary transit agency, does not collect racial or ethnic demographic information about its ridership; however, the percent share of self-identified minority transit commuters is higher than the regional average minority population. According to the most recent available data, the Census Transportation Planning Products 2012-2016, 434 workers over the age of 16, who resided in Skagit County, took the bus as a commute mode. Of those, 31% identified as minority populations. This estimated rate is higher than the county-wide minority population of 25.5%, according to the 2020 Census.<sup>1</sup>

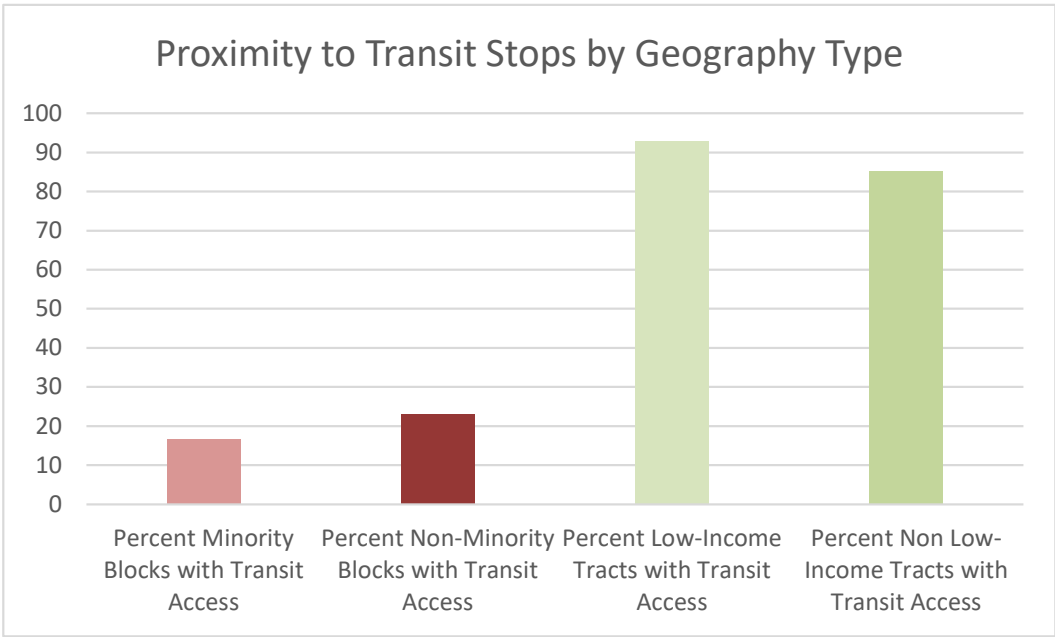
Skagit Transit works to locate transit services in areas with high rates of minority and low-income populations. **Figure 7** illustrates the relationship between fixed route transit availability and minority geographies.

*1 Source: 2012-2016 Census Transportation Planning Products Table EA-B102201 Minority Status (3) by Means of Transportation (11) (Workers 16 years and over) Note: Estimates for this dataset had a coefficient of variation higher than 15, and should be considered unreliable.*

# TITLE VI TRANSIT ASSESSMENT

Out of 638 Census blocks with transit access in proximity to a fixed route transit stop, 165, or 25.8% are identified as having a minority population above the regional average. In total, 16.7% of identified minority blocks have fixed route transit access, as opposed to 23.1% of non-minority Census blocks with transit access. Transit investments that affect the entire Skagit Transit service area are more likely to benefit identified minority Census blocks than non-minority Census blocks.

Figure 7. Proximity to Transit Stops by Geography Type



The one STBGP funded project, which was \$56,100 of funds, did not have a direct geographic impact and accordingly would not directly benefit non-minority populations over minority populations. Based on this assessment of regionwide and geographic impacts, transit-specific projects selected for award through SCOG funding processes are not having a disparate impact on the basis of race, color, or national origin. Rather, transit investments are more likely to provide access in areas with high concentrations of minority populations. Regionwide transit investments are also more likely to benefit these minority geographies.

# CONCLUSION

This Environmental Justice and Title VI Assessment considered STBG and TA funded projects that were awarded funds in Skagit County from April 2020-April 2023 through a SCOG selection process. Thresholds for EJ minority Census blocks and EJ low-income Census tracts were established through a demographic profile completed in 2023 by SCOG just prior to the EJ assessment. These thresholds provided benchmarks for the EJ assessment to determine if EJ populations are encountering a disproportionately high and adverse impact through SCOG selection processes.

The findings of this analysis indicate that from a project selection and funding perspective, projects are not being disproportionately awarded to non-minority Census blocks and that funding for these projects are also not being disproportionately awarded. 46% of funds went to projects in direct proximity to EJ minority blocks, and 43% of funds went to projects in direct proximity to EJ low-income tracts. Additionally, projects selected by SCOG for STBG or TA award were more likely to be in proximity to EJ areas than not; while some projects were in proximity to EJ low-income geographies and others were in proximity to EJ minority geographies, often projects were in proximity to both. Out of six selected projects, four were in proximity to an identified EJ geography. One of the two projects not in proximity to an EJ geography, the Samish Indian Nation's SR 20/Campbell Lake Road Intersection Improvement, is sponsored by a sovereign American Indian nation and tribal community, which is identified as a minority population by the United States Census Bureau. On the whole, four out of six, or 66.6% of SCOG awarded projects were in proximity to either an identified minority or low-income Environmental Justice area.

SCOG works to ensure that funding decisions do not have a discriminatory impact on Environmental Justice protected populations. Identified Environmental Justice geographies are taken into account during the evaluation of STBG and TA project applications, a process which began in 2014.

Further work can be done to assess the impacts of all SCOG funded projects on a regional scale, regardless of thresholds or geographies. Transportation projects have different layers and scales of impact, or benefit and burden, depending on the location, type, and size of the project, as well as the demographic characteristics of surrounding communities and the communities of travelers who utilize a specific facility or mode to meet their travel needs. Future expansions of this analysis may include considering the specific transportation needs and patterns of identified EJ communities, analyzing impacts on other protected populations, and assessing indirect or systemwide impacts of specific transportation projects at a regional level.