



PORT OF LONGVIEW
Federally Funded Transportation Program
Title VI Plan

Beginning date of Plan March 19, 2024

Port of Longview Board of Commissioners

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I. Title VI Policy Statement

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

This policy applies to all operations of the Port of Longview, including its contractors and anyone who acts on behalf of the Port of Longview. This policy also applies to the operations of any department or agency to which the Port of Longview 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 infrastructure or facilities built or repaired; and Discrimination in employment.

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

Signed: _____
Dan Stahl, Chief Executive Officer

Date

II. Organization, Staffing, and Structure

A. Organizational Chart

See Exhibit D

B. Staffing and Structure

Chief Executive Officer – hereinafter referred to as CEO

The CEO is authorized to ensure compliance with provisions of the Port’s policy of non-discrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. The Port’s grants compliance function and Title VI coordination shall be performed under the authority of the Chief Financial and Administrative Officer.

Title VI Coordinator

The Port of Longview has assigned the Contracts and Grants Administrator the duties of the Title VI Coordinator (Coordinator) to provide oversight of the Port’s Title VI Program. Although the Contracts and Grants Administrator reports to the Procurement Manager as a direct supervisor, this position shall have an indirect relationship to the CEO.

The Title VI Coordinator is responsible for:

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

The Title VI Coordinator will be supported by Port of Longview Staff assigned to federally-funded programs. The Port of Longview assigned Staff may be within any division of the Port of Longview; see the Port of Longview Title VI Organizational Chart for more information. In most circumstances, assigned Staff will be from the Environmental and Planning Services Department and/or the Facilities & Engineering Department, but may also include Project Sponsors (from any division) seeking federal funding for projects.

III. Title VI Plan Implementation and Program Administration

Title VI Coordinator’s Responsibilities and Program Administration – As authorized by the CEO, the Title VI Coordinator, in collaboration with other departments, is responsible for initiating, monitoring, and ensuring the Port of Longview’s compliance with Title VI requirements as follows:

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Planning	<ul style="list-style-type: none"> ▪ Evaluate and prioritize needs in various port development areas, aligning with port strategic and business plans. ▪ Provide long-range planning, program 	<ul style="list-style-type: none"> ▪ Advance participation from a cross section of the populace (social, economic, ethnic groups, etc.) in the planning process. ▪ Ensure planning process complies with Title VI requirements. 	<ul style="list-style-type: none"> ▪ Analyze demographic data for residents in and around port project locations to support the evaluation of planning and project impacts. ▪ Provide updates through outreach efforts to the community and local agencies. ▪ Evaluate outreach efforts and effectiveness of reaching cross section of demographics, including Limited English Proficiency (LEP) individuals.

	<p>and capital development and maintain a capital improvement program.</p> <ul style="list-style-type: none"> ▪ Coordinate with local agencies on transportation plans and projects. ▪ Conduct studies to access various environmental factors as they relate to port development programs. 		
Consultant / Contracting	<ul style="list-style-type: none"> ▪ Conduct the solicitation for services with the Title VI Coordinator's support as needed, evaluate, and recommend consultant firms for final selection, negotiation, and award. ▪ Award construction contracts on the basis of lowest responsive and responsible bidder, as well as meeting DBE requirements when appropriate. ▪ The Port Board of Commissioners shall award consultant contracts, except as those delegated to the CEO through resolution of the Commission. 	<ul style="list-style-type: none"> ▪ Include Title VI language in prime contract award letters to encourage utilization of DBE subcontractors and vendors. ▪ Include applicable Disadvantaged Business Enterprise (DBE) goals in designated projects and seek to proactively achieve the goal(s). ▪ Include Title VI assurance and provision language in all federally funded consultant contracts. Periodically review documents and language to ensure compliance with current laws and regulations. ▪ Ensure contractors and consultants with DBE requirements award contracted work to qualified DBE's. 	<ul style="list-style-type: none"> ▪ Maintain necessary data and documentation required for completion of the Title VI Annual Report. ▪ Maintain demographic data on the utilization of women and minority owned consulting firms, when applicable.
Design and Engineering	<ul style="list-style-type: none"> ▪ Maintain Capital Improvements Program (CIP) and secure environmental permitting for 	<ul style="list-style-type: none"> ▪ Complete necessary assessments and documentation to comply with National Environmental Policy Act (NEPA), as needed. ▪ Ensure design and engineering 	<ul style="list-style-type: none"> ▪ Analyze demographic data for residents in and around port project locations to support the evaluation of planning and project impacts. ▪ Provide updates through outreach efforts to the community and local agencies.

	<p>projects, which can include environmental assessments.</p> <ul style="list-style-type: none"> Coordinate with local agencies on transportation plans and projects. 	<p>process complies with Title VI requirements.</p>	<ul style="list-style-type: none"> Evaluate outreach efforts and effectiveness of reaching cross section of demographics, including Limited English Proficiency (LEP) individuals.
Right of Way	<ul style="list-style-type: none"> Manage and coordinate the right-of-way acquisition process, which entails appraisal of property, negotiations of terms and conditions for acquisition and assistance in the relocation of displaced individuals, businesses, etc. 	<ul style="list-style-type: none"> Ensure equal opportunity in all aspects of procuring real estate service contracting and appraisal agreements. Ensure the preparation of deeds, permits and leases contain the appropriate Title VI clauses. Follow adopted port vendor procurement policies in the acquisition of contracted services. Ensure that relocation advisory assistance services are provided equitably to all displaced persons and entities, when applicable. 	<ul style="list-style-type: none"> Follow the guidelines in the WSDOT Local Agency Guidelines/Right-of-Way Manual for property acquisition as well as applicable laws and regulations, including Title VI and Section 504. Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of business related to the property acquisition process. Apprise property owners and tenants of their rights and options under eminent domain acquisition including appraisal, negotiation, relocation, condemnations, and other aspects of the acquisition process. Ensure that relocation advisory assistance services are provided equitably to all displaced persons and entities.
Environmental	<ul style="list-style-type: none"> Analyze environmental issues, acquiring permits and approvals, and evaluating pending regulations to achieve regulatory compliance and avoid or minimize adverse project impacts. Complete necessary assessments and documentation to comply with National Environmental Policy Act (NEPA), as needed. 	<ul style="list-style-type: none"> Develop and enhance systems to identify populations affected by applicable projects. Provide information to populations that may be affected applicable projects, including persons with Limited English Proficiency (LEP). 	<ul style="list-style-type: none"> Monitor compliance with Title VI requirements in all aspects of conducting environmental justice assessments. Monitor and update outreach efforts for port projects that may impact the public, including populations covered by Title VI.

Construction and Maintenance	<ul style="list-style-type: none"> ▪ Administer construction contracts and maintenance agreements and provide oversight and administration of construction projects. ▪ Effectively maintain port facilities by economically utilizing the resources of port maintenance crews, contractors, equipment, services, and materials. 	<ul style="list-style-type: none"> ▪ Include DBE provisions in all federally funded projects with designated goals, as applicable. ▪ Include Title VI language in bid announcements and applicable construction documents, as stipulated in the port Title VI Policy Statement and Assurances herein. ▪ Monitor all maintenance and construction operations to ensure nondiscrimination throughout all operations. 	<ul style="list-style-type: none"> ▪ Maintain necessary data and documentation required for completion of the Title VI Annual Report. ▪ Maintain demographic data on utilization of women and minority owned consulting firms, when applicable.
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IV. Review Procedures

The Port of Longview assures that every effort will be made to ensure non-discrimination in all programs and activities. Environmental and planning, engineering and contracting staff review and monitor requirements through regular internal protocols which include, but are not limited to, bid evaluation, progress meetings with contractors and consultants and project submittals.

V. Consultants, Contractors , and Subrecipients

Notifications and language consistent with the standard Title VI assurances, including appropriate appendices, is inserted into all advertisements, notices and solicitations for bids for work or materials, RFQ's and negotiated agreements for federally funded projects.

Specifications defining Title VI requirements based on [USDOT 1050.2A](#) are included in the contract documents with a requirement that these provisions be included in all amendments, supplements and lower tier contracts entered into by the contractor. The Port of Longview will work with WSDOT to establish goals for the participation of Disadvantaged Business Enterprises, when applicable.

After contract execution, the contractor is responsible for reporting requirements outlined in the contract and adherence to the affirmative action and non-discrimination provisions for itself and its subcontractors in accordance with the provisions of the negotiated agreement.

Title VI Coordinator will assist WSDOT to periodically conduct Title VI compliance reviews when requested. Title VI Coordinator will work with staff to periodically confirm operational guidelines provided to consultants, contractors and subrecipients, including Title VI language, provisions, and related requirements, are adhered to.

When a subrecipient fails or refuses to voluntarily comply with Title VI requirements within a specified timeframe provided the Port of Longview, the Port will submit to WSDOT and Federal Highway Administration (FHWA) documentation and recommend that the subrecipient be found in noncompliance. A follow-up review will be conducted within 180 days of the initial review to determine if the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the subrecipient refuses to comply, the Port or WSDOT may, with FHWA's concurrence, initiate sanctions per [49 CFR 21](#).

VI. Data Collection/Reporting/Analysis

The Port of Longview focuses its data collection, reporting and analysis efforts on federally funded transportation projects and public-accessible projects, as well as projects that might impact individuals residing in neighborhoods adjacent to the Port and its projects. The Title VI Coordinator collects and reviews demographic data from several sources recommended by WSDOT, including the US Census and American Community Survey (ACS). The data is used to guide the Port's public involvement strategy and make improvements as appropriate.

For federally funded projects, data collection, reporting and analysis is tailored to the specific project. The Title VI Coordinator will work with Port staff to determine the project's area of impact for each project, collect appropriate data and create an outreach and engagement strategy to prevent and mitigate where necessary disproportionate adverse impacts on Limited English Proficiency (LEP), minority and low-income populations affected by the project. Outreach efforts may include the creation of a dedicated project webpage with a direct channel for the public to provide feedback, ask questions and/or share concerns, as well as digital and print mailings in English and Spanish, with other languages on request, to provide access for LEP persons.

The Port of Longview's Title VI Coordinator is responsible for developing, maintaining, and submitting the Title VI Plan and Annual Reports. The Title VI Plan will be updated as needed and the Annual Reports will be submitted utilizing the WSDOT Annual Title VI Accomplishments and Goals Report form AAP28.93.

VII. Title VI Training

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

The Title VI Coordinator is responsible for overall Title VI-related training and staff development for Port employees. The Coordinator will organize or conduct a minimum of one internal Title VI training session annually. The Coordinator will organize and facilitate the provisions of Title VI training sessions for consultants, contractors, and subcontractors periodically. WSDOT Office of Equity and Civil Rights may be asked to provide applicable training.

VIII. Complaint Procedures - Allegations of Discrimination in Federally Assisted Programs or Activities

A. Overview

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by the Port of Longview, as well as to sub-recipients, consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law.

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. Every effort will be made to resolve complaints informally at the port and sub-recipient level. The option of informal mediation meeting(s) between the affected parties and a designated mediator may be utilized for resolution.

B. Procedures

1. Notice to the Public

The following Discrimination Complaint Procedures for the Port of Longview will be disseminated to the public on a webpage titled "Title VI Compliance" on the Port of Longview's website at: [insert website link]

The webpage will include the Port's Complaint Procedures and the Complaint Form as shown in Exhibit B.

2. Discrimination Complaint Procedure for the Port of Longview

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

Complaints related to the Federal-aid programs may be filed with Port of Longview and will be forwarded to Washington State Department of Transportation – Office of Equal Opportunity. If you need assistance to file your complaint or need interpretation services, please contact Kara Metzger at kmetzger@portoflongview.com.

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 Port of Longview program, service, or activity because of their race, color, or national origin may file a complaint.

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

How do you file a complaint?

Complaints must be filed no later than 180 days from the last date of the alleged discrimination. Contact Kara Metzger at kmetzger@portoflongview.com 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 Kara Metzger at kmetzger@portoflongview.com.

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

A complaint should contain the following information:

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

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

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

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

The Port of Longview then forwards complaints to WSDOT-Office of Equal Opportunity for processing by FHWA. [WSDOT investigates complaints only if delegated by FHWA after acceptance of a complaint.] FHWA is responsible

for all determinations regarding whether to accept, dismiss, or transfer the complaint and finding no violation or failure to comply.

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

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

CivilRights.FHWA@dot.gov

What happens after a complaint is filed?

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

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

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

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

IX. Public Participation

A. Public Outreach

The Port of Longview conducts public outreach through a number of different means and formats, including, but not limited to the following:

- Public comment periods as required for project permitting, including, but not limited to:
 - Washington State Environmental Protection Act (SEPA)
 - National Environmental Protection Act (NEPA)
 - Other local and state permits
- Port of Longview Commission Meetings, which are normally scheduled twice per month
- Port of Longview Park Committee or other ad-hoc advisory group meetings
- Voluntary project-specific public outreach such as, but not limited to:
 - Design charettes (as deemed appropriate and/or necessary)
 - Community feedback on projects that have significant public interest
 - Open house meetings for the public, partner agencies, and tenants to learn more about Port of Longview projects

The preceding examples of public outreach may be carried out in a variety of venues that range from regulatory agency offices (e.g., City Hall, County Courthouse, Public Libraries, etc.), Port of Longview facilities (e.g., Commissioner Meeting Room and other facilities), and public site tours. Similarly, public outreach may occur in various formats from virtual (teleconference) meetings, in-person meetings, site visits, physical mailings, fact sheets, social media, radio advertisements, newspaper public notices and public comment solicitations, electronic surveys, public involvement forms, and email correspondence.

For projects/programs that are federally funded, as required and applicable, the Title VI Coordinator and assigned Staff will conduct public outreach in accordance with program/project agreements that may utilize one or more of the preceding means and formats.

B. Outreach to Minority Populations

Minority populations served by the Port of Longview will be identified through one or more of the following sources:

- U.S. Census Data
- Reporting by other governmental agencies, as appropriate
- Community liaisons, where applicable and appropriate
- Other sources, as appropriate

Public outreach to minority populations will be initiated with one or more of the following methods:

- The Port of Longview website
- Port of Longview Commission Meeting agendas, which are posted on the Port of Longview website prior to each meeting
- Project – or program – specific public outreach efforts that may include, but not limited to:
 - Public notices and public comment solicitations (e.g., physical mailings, fact sheets, social media, email correspondence, etc.)
 - Notices for teleconference meetings involving public participation
 - Notices and/or invitations to design charettes and/or public site tours involving public participation
- Other venues/formats as appropriate

Input and feedback from minority populations will be considered no differently than input and feedback from any other population served by the Port of Longview. Already a part of normal business practice, the Port of Longview Title VI Coordinator and assigned Title VI staff will endeavor to respond in a timely manner to all input and feedback received by the community via email correspondence, physical mail, in-person meetings, and/or phone call as deemed appropriate by the Port of Longview.

C. Outreach to Individuals with Limited English Proficiency

The Port of Longview Title VI Coordinator and assigned Staff will assess available data regarding community members with limited English proficiency and will determine whether there is a need to translate public outreach notices into different languages to effectively communicate with those community members.

In general, translation to other languages will be initiated as part of the Public Outreach noticing process for identified community areas in which the primary language spoken – other than English – exceeds 5% by population.

In accordance with the Outreach to Minority Populations section, public notices may include:

- A statement encouraging participation by individuals with limited English proficiency, and/or
- A statement that the public outreach notice may be available in other languages upon request.

The Port of Longview will endeavor to accommodate all reasonable requests for language translation. Translation services may be provided by Port of Longview staff, public volunteers, or hired consultants/contractors.

X. Limited English Proficiency

The Port will develop a Language Access Plan (LAP) to help identify reasonable steps to provide language assistance for Limited English Proficiency (LEP) persons seeking meaningful access to Port services, as required by [Executive Order 13166](#). A LEP person is one who does not speak English as their primary language and who has limited ability to read, speak, or write or understand English.

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

In developing the LAP, the will Port utilize the Four Factor Analysis, as recommended by the U.S. Department of Transportation.

Four Factor Analysis

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.

The Port of Longview reviewed LEP data available on Data.Census.gov for Cowlitz County, where the Port is located. The American Community Survey 2021 indicated that 5.8% of the population speak a language other than English at home. Of that, 5.8%, approximately 24.5% speak English less than “very well”.

2. The frequency with which LEP individuals come into contact with the program.

The Port will assess the frequency at which Staff have or could possibly have contact with LEP persons. While the Port rarely has requests for telephone interpretation or translated documents, the Port will have resources available to accommodate those requests.

3. The nature and importance of the program, activity or service provided by the recipient to people’s lives.

There is no large concentration of any one type of LEP individuals in the Port district. The 5.8% population that speaks a language other than English at home is comprised of broad categories, including Spanish, Indo-European and Asian and Pacific Islander languages.

To be able to serve LEP individuals with differing language needs, the Port has access to language translation services for verbal and written requests, as needed.

4. The resources available to the recipient and costs.

The Port will assess these needs and available resources that could provide reasonable accommodation to LEP individuals. The Port will identify language interpretive service providers and their costs and identified when documents (print and electronic) should be available in languages other than English.

After analyzing these four factors, the Port will develop a Language Access Plan to include the following:

- a. Identifying Limited English Proficiency (LEP) Individuals with Language Access Needs**
- b. Language Assistance Measures**
- c. Training**

XI. Environmental Justice

The Port will incorporate environmental justice (EJ) principles in all phases of federally funded transportation projects and program activities, including reviews for projects which require documentation for the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA), as appropriate.

To prevent, mitigate, and correct the possible high and adverse disproportionate burdens or environmental effects on programs, policies, and activities on minority and/or low-income populations, the Port will utilize the following data:

1. The Environmental Protection Agency (EPA) developed EJ mapping and screening tool “[EJScreen](#)” that provides demographic socioeconomic and environmental information on selected geographic areas. This tool helps identify areas with minority and/or low-income populations and ensures stakeholders are making informed decisions on EJ.
2. Information obtained from prior engagement with minority and/or low-income populations, and community organizations and/or associations considered during decision-making.

Project sites are visited to help identify potential sensitive receptors to minimize potential impacts. Physical environments are reviewed/documented by environmental professional staff to identify critical/sensitive areas, potential project impacts, and future mitigation.

XII. Notice of Title VI Rights

The Port of Longview is committed to providing the public with easy access to Title VI policy and information. A dedicated webpage allows the public easy access to the Port Title VI/Civil Rights policy information. The public is invited to share their feedback and concerns to the Port through a variety of methods include attending Board of Commissioners meetings (in-person or virtually), sending emails, calling or visiting the Port, as well as speaking with Port staff. Our goal is to make communicating any concerns, questions or input from the public as easy as possible.

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

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

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

To file a Title VI discrimination complaint, contact:

Kara Metzger
10 International Way
Longview, WA 98632
(360) 703-0254
kmetzger@portoflongview.com

Washington Department of Transportation
Office of Equal Opportunity – Title VI
Box 47314
Olympia, WA 98504-7314
TitleVI@wsdot.wa.gov
Phone: (800) 259-9143

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

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

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

Who _____ When _____

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

Complaint number, if known _____

Do you have an attorney in this matter? _____

Name (print) _____

Phone _____ Address _____ City _____

Zip _____

Signed _____ Date _____

SAMPLE TITLE VI COMPLAINT LOG

Date Complaint Received	Name of Complainant	Address	Telephone	Basis of Discrimination	Nature of Complaint	Program Area	Remarks	Final Disposition

EXHIBIT B ORGANIZATIONAL CHART

Port of Longview
Organizational Chart
January 2024

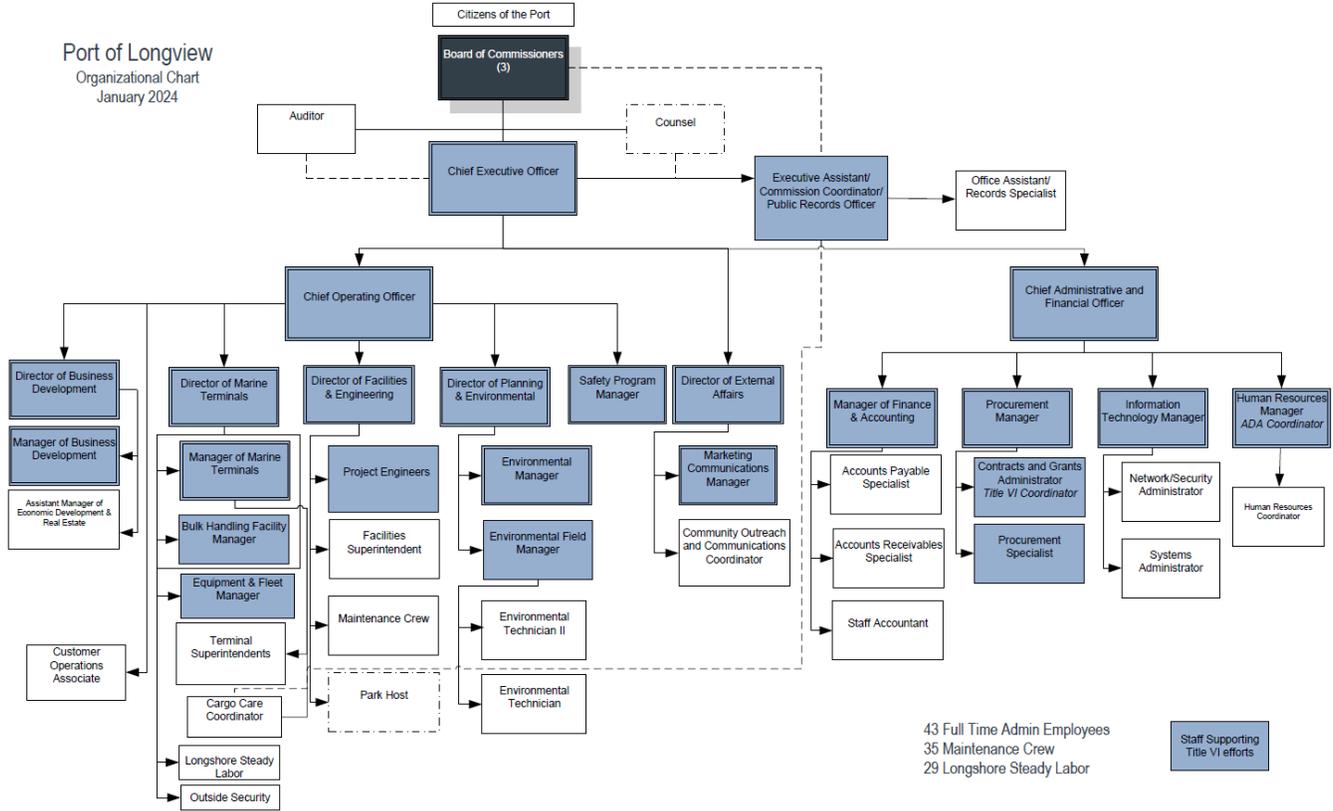


EXHIBIT C
STANDARD ASSURANCES AND APPENDICES

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

Assurances

DOT Order No. 1050.2A

The Port of Longview (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 Port of Longview , 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, Port of Longview 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 Port of Longview 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 **Port of Longview**. You must keep records, reports, and submit the material for review upon request to Port of Longview, 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.

Port of Longview 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.

Port of Longview
(Name of Recipient)

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 Port of Longview 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 Port of Longview 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 Port of Longview 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 Port of Longview, its successors and assigns.

The Port of Longview, 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 Port of Longview 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 Port of Longview 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, **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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 Port of Longview 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, Port of Longview 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, Port of Longview will there upon revert to and vest in and become the absolute property of Port of Longview 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).