



Port of Vancouver USA

Title VI Plan

Port of Vancouver USA

July 2026

Port of Vancouver Commissioners

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Table of Contents

1. Title VI Policy Statement.....	1
2. Organization, Staffing and Structure	2
3. Primary Program Area Descriptions and Review Procedures	3
4. Review Procedures	6
5. Data Collection/Reporting/Analysis	7
6. Title VI Training.....	7
7. Title VI Complaint Procedures	8
8. Title VI Complaint Form	11
9. Public Participation.....	13
10. Limited English Proficiency	13
11. Environmental Justice.....	15
12. Notice of Title VI Rights	16

Appendices

Exhibit A — Standard Assurances with Appendices	17
Exhibit B — Granting and Habendum Clauses	26
Exhibit C — Lease/Deed Provisions	27
Exhibit D — Organization Chart	28
Exhibit E — Languages Spoken at Home (Vancouver, WA) Data.....	29

1. Title VI Plan Policy Statement

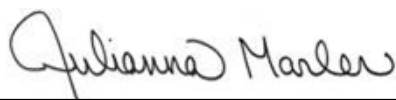
It is the policy of the Port of Vancouver that no person shall on the grounds of race, color, and national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of Port of Vancouver as provided by Title VI of the Civil Rights Act of 1964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

This policy applies to all operations of Port of Vancouver including its contractors and anyone who acts on behalf of Port of Vancouver. This policy also applies to the operations of any department or agency to which Port of Vancouver extends federal financial assistance. Federal financial assistance includes grants, training, equipment usage, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly, neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, or national origin include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

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



Julianna Marler, Chief Executive Officer

July 15, 2026

Date

2. Organization, Staffing and Structure

Chief Executive Officer Julianna Marler 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.

The port has assigned the Grant Specialist the duties of Title VI Coordinator to provide oversight of the port Title VI Program. This position is located within Economic Development and has an indirect relationship to the CEO.

The Title VI Coordinator is responsible for:

Reporting and Documentation

- Submitting a Title VI plan and annual reports on the agency's behalf
- Accepting complaints, compiling a complaint log and reporting to WSDOT

Complaint Management

- Managing existing procedures for the prompt processing and disposition of complaints
- Managing existing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary

Data and Analysis

- Managing existing procedures for the collection and analysis of statistical data
- Conducting annual Title VI assessments of pertinent program areas

Program Review and Oversight

- Managing existing program to conduct Title VI reviews of program areas

Outreach

- Managing Title VI information for dissemination

Additionally, the port has designated Title VI Specialists by department. The Specialists shall work in concert with the Title VI Coordinator. These departments are subject to receiving federal assistance through grants or other types of transportation-related funding or are responsible for implementing port directives and policies providing civil rights compliance and equal opportunity. The Specialists will work with the Coordinator to ensure their respective departments and programs comply with Title VI regulations and assurances, meet the objectives of the Title VI Plan, address federal and state reporting requirements and provide adequate training opportunities for applicable staff.

Title VI Specialists will work with the Coordinator to ascertain Title VI compliance by contractors, subcontractors, consultants, suppliers and other sub-recipients under federal funded projects or programs. Specialists will ensure applicable Title VI provisions and requirements are included in contractual agreements to prime contractors and subrecipients.

Specialists assist the Coordinator in obtaining statistical data on race, color, national origin, handicap/disability, age and sex of participants in and beneficiaries of federally funded port programs as necessary.

Organization Chart — Reporting Relationships

Please see *Exhibit D — Organization Chart*, which reflects the organization and the personnel supporting Title VI efforts.

3. Primary Program Area Descriptions and Review Procedures

Title VI Coordinator’s Responsibilities and Program Administration – As authorized by the Agency Administrator, the Title VI Coordinator, in collaboration with other departments, is responsible for initiating, monitoring, and ensuring the Port of Vancouver’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
<u>Planning</u>	▪ Evaluate and prioritize needs in various port development areas, aligning with port strategic and business plans. ▪ Provide long-range planning, program and capital development and maintain a capital improvement program. ▪ Coordinate with local agencies on transportation plans and projects. ▪ Conduct studies to access various environmental factors as they relate to port development programs.	▪ Advance participation from a cross section of the populace (social, economic, ethnic groups, etc.) in the planning processes. ▪ Ensure planning process complies with Title VI requirements.	▪ 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.

<u>Consultant Contracting</u>	▪ 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. ▪ The port Board of Commissioners shall award consultant contracts, except as those delegated to the CEO through resolution of the commission.	▪ Include Title VI language in prime contract award letters to encourage utilization of DBE subcontracts 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 DBEs.	▪ 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.
<u>Design and Engineering</u>	▪ Maintain Capital Improvements Program (CIP) and secure environmental permitting for projects, which can include environmental assessments. ▪ Coordinate with local agencies on transportation plans and projects.	▪ Complete necessary assessments and documentation to comply with National Environmental Policy Act (NEPA), as needed. ▪ Ensure design and engineering process complies with Title VI requirements.	▪ 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.
<u>Right-of-way</u>	▪ Manage and coordinate the right-of-way acquisition process, which entails appraisal of property, negotiations of terms	▪ Ensure equal opportunity in all aspects of procuring real estate service contracting and appraisal agreements.	▪ 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

	and conditions for acquisition and assistance in the relocation of displaced individuals, businesses, etc.	▪ 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 when appropriate equitably to all displaced persons and entities.	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, condemnation, and other aspects of the acquisition process. ▪ Ensure that relocation advisory assistance services are provided equitably to all displaced persons and entities.
<u>Construction and Maintenance</u>	▪ 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.	▪ Include DBE provisions in all federally funded projects with designated goals, as appropriate. ▪ 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.	▪ 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.
<u>Environmental</u>	▪ Analyze environmental issues, acquiring permits and approvals, and	▪ Develop and enhance systems to identify population affected by a project.	▪ Monitor compliance with Title VI requirements in all aspects of conducting environmental

	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.	▪ Provide information to populations that may be affected by the project, including persons with Limited English Proficiency (LEP).	justice assessments. ▪ Monitor and update outreach efforts for port projects that may impact the public, including populations covered by Title VI.
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4. Review Procedures

The Port of Vancouver assures that every effort will be made to ensure non-discrimination in all programs and activities, whether those programs are federally funded or not. Planning, engineering and contracting staff review and monitor requirements through regular internal protocols which include, but are not limited to, bid evaluations, progress meetings with contractors and consultants and project submittals.

A. Consultants and Contractors

Notifications and language consistent with the standard Title VI assurances, including appropriate appendices is inserted in all advertisements, notices and solicitations for bids for work or materials, RFQs and negotiated agreements.

Specifications defining Title VI requirements based on USDOT 1050.2 are included in the contract documents with a requirement that these provisions be included in all amendments, supplements and lower tier contracts entered into by the contractor. The Port of Vancouver works 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 all affirmative action and non-discrimination provisions for itself and its subcontractors in accordance with the provisions of the negotiated agreement.

B. Subrecipients

Title VI Coordinator and Specialists will assist WSDOT to periodically conduct Title VI compliance reviews. Title VI Coordinator and Specialists will work with the port Procurement and Contracts staff to periodically confirm operational guidelines provided to consultants, contractors and

subrecipients, including Title VI language, provisions and related requirements, are adhere to.

When a subrecipient fails or refuses to voluntarily comply with Title VI requirements within a specified time frame provided by the Port of Vancouver, 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 sanction per 49 CFR 21.

5. Data Collection/Reporting/Analysis

The Port of Vancouver 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 available on request, to provide access for LEP persons.

6. Title VI Training

In keeping with the adopted Port of Vancouver policy of nondiscrimination, departmental 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 Title VI Specialists and other employees. The Coordinator will organize or conduct a

minimum of one internal Title VI training session annually. The Coordinator will organize and facilitate the provision of Title VI training sessions for consultants, contractors, and subcontractors periodically. WSDOT's Office of Equity and Civil Rights may be asked to provide applicable training.

7. Title VI Complaint Procedures

Discrimination Complaint Procedure for Port of Vancouver

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

Complaints related to the Federal-aid programs may be filed with Port of Vancouver and will be forwarded to Washington State Department of Transportation – Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, please contact the port's Title VI Coordinator (info@portvanusa.com or 360.693.3611).

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 Vancouver 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 the Title VI Coordinator at info@portvanusa.com or 360.693.3611, 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 the Title VI Coordinator at info@portvanusa.com or 360.693.3611.

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 Vancouver 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 Vancouver then forwards complaints to WSDOT – Office of Equity and Civil Rights for processing by Federal Highway Administration (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 a complaint is forwarded to another agency, the complainant will be provided with the name and contact information of the employee handling the 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 a Local Public Agency (LPA), e.g. the port, WSDOT and FHWA.

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 _____

9. Public Participation

The Port of Vancouver Commission Meetings are open to the public and held twice a month at the port's administration office and via Zoom. The public is invited to provide comments at Commission Meetings in person or virtually, allowing for easier access to the public including disabled, underserved and minority populations. Meetings are also broadcast live on CVTV cable channels 21 and 23/HD 323 and online at CVTV.org. Live and recorded meetings can be viewed with closed captioning enabled on CVTV.org.

In addition to port Commission Meetings, the port communicates with the public through a variety of methods. Print and digital outreach includes the bi-annual printed *Community Report*, the environmentally focused *Solstice* digital newsletter, annual *Port Report* video and social media outreach. The port Community Outreach Manager regularly attends community events and neighborhood meetings, which provides an opportunity for the public to directly ask questions or share any concerns with a port representative. Port tours are also available to the public twice a month during the summer.

The port also creates webpages for specific projects that may impact the public and where public feedback is requested. Mailing postcards in English and Spanish has been an effective strategy to reach port neighbors, including underserved and minority populations. QR codes on the postcards connect to a webpage where the public can learn more about the project and provide feedback easily to the port.

These port communication efforts are reviewed and updated, using demographic data, feedback from the public and/or any accommodation requests the port receives annually. This information is used to adjust the communications strategy and to enhance outreach efforts to the community, including minority and Limited English Proficiency individuals.

10. Limited English Proficiency

The port developed 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, write or understand English.

This LAP details 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 port utilized 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 Vancouver reviewed LEP data available on Data.Census.gov for the City of Vancouver, where the port is located. The American Community Survey 2021 indicated that 20% of the population speak a language other than English at home. Of that 20%, approximately 9% speak English less than “very well.” See *Exhibit E —Languages Spoken at Home (Vancouver, WA) Data* for more information.

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

The port assesses 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 has 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 or City of Vancouver. The 20% 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 assessed these needs and available resources that could provide reasonable accommodation to LEP individuals. The port identified language interpretative 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 developed its Language Access Plan.

a. Identifying Limited English Proficiency (LEP) Individuals with Language Access Needs

- Document and review records requests for language assistance at port meetings/events and individual requests made to the port.
- Have “I Speak” Cards available at public meetings and events and at the port administrative offices to help determine language needs for future meetings and future communication with the public.
- Include survey questions about language access in port outreach/communication efforts.

b. Language Assistance Measures

- Have “I Speak” Cards at the port administration offices and with staff that come into contact with members of the public.
- When verbal interpretation is requested, port staff will utilize the on-call interpretive services the port has contracted.
- When written interpretation is requested for document/s, port staff will utilize contracted services to provide translated document/s.
- The port will review documented requests periodically to modify measures as needed.

c. Training

All port staff will be provided with the Title VI and Nondiscrimination Policy/Plan, which includes the Language Access Plan, and will be educated on:

- Understanding the policy and responsibilities.
- Using “I Speak” Cards and language assistance services.
- Documenting Language Assistance requests.
- Understanding the Compliant process, including the location of the forms (online and print) and staff members that can be contacted for assistance/questions.

11. Environmental Justice

The port has developed and incorporated Environmental Justice (EJ) strategies in its programs, policies and activities to prevent, mitigate and address possible adverse disproportionate burdens or environmental effects. These efforts include initiating a review process early in the project preliminary design phase. As the project evolves, ongoing reviews will be informed by an evolving understanding of the project stakeholders, constituent interests and demographic information, utilizing data from U.S. Census and the EPA’s Environmental Justice tool. Outreach efforts will be monitored and updated to enhance communication and public engagement efforts. Environment Justice efforts are conducted and supported through the cross-department collaboration of staff within the Environmental Services department (part of the Operations division), External Affairs and Economic Development departments and the Operations division.

12. Notice of Title VI Rights

The Port of Vancouver is committed to providing the public easy access to Title VI policy and information. A detailed and dedicated webpage was created on the port website to allow the public easier access to the port Title VI/Civil Rights policy and information. The public is invited to share their feedback and concerns to the port through a variety of methods including attending a Board of Commissioners meeting (in-person or virtually), sending an email, calling or visiting the port, as well as speaking with port staff attending regular neighborhood community meetings. 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 Vancouver hereby gives public notice that it is port 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 program or other activity for which the Port of Vancouver 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. Any such complaint must be in writing and filed with the port within one hundred, eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the port by emailing info@portvanusa.com or by calling 360-693-3611.

To file a Title VI discrimination complaint, contact:

Nicole Lutton, Title VI Coordinator
 Port of Vancouver
 3103 NW Lower River Road
 Vancouver, WA 98660
 Email: info@portvanusa.com
 Phone: 360.693.3611

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

Exhibit B — Port of Vancouver's Granting and Habendum Clauses

When the Port of Vancouver is the recipient of real property, structures or improvements thereon or interest therein from the United States, the following clauses shall be included in any and all deeds affecting or recording the transfer of property:

A. Granting Clauses:

NOW, THEREFORE, the Port of Vancouver, as authorized by law, 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 Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration for the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provision 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 Vancouver all the right, title and interest of the Department of Transportation in and to said land described in Exhibit attached hereto and made a part thereof.

B. Habendum Clause:

TO HAVE AND TO HOLD said lands and interests therein unto the Port of Vancouver, 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 the real property or structures are used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the Port of Vancouver, its successors and assigns.

The Port of Vancouver, 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 shall on the grounds of race, color, sex 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 Vancouver, shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended and (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the port shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

Exhibit C — Port of Vancouver's Lease/Deed Provisions

Upon receipt of federal financial assistance to construct a facility or part of a facility, the Recipient agrees to include these clauses in all future deeds, licenses, leases, permits, or similar instruments entered into by the Port of Vancouver pursuant to the provisions of Title VI Assurance:

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained or otherwise operated on the said property described in this lease, for a purpose for which a US Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the U.S. Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above non-discrimination covenants, the port shall have the right to terminate the lease and to reenter and repossess said land and the facilities thereon and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits or similar agreements entered into by the port pursuant to the provisions of Title VI Assurances:

The LESSEE, for himself or herself, his or her personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that: (1) no person, on the grounds of race, color, sex or national origin shall be excluded from participation in, be 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 furnishing of services thereon, no person on the grounds of race, color, sex or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; (3) that the LESSEE shall use the premises 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, Nondiscrimination in Federally assisted programs of the U.S. Department of Transportation — Effectuation of Title VI of the Civil Rights Act of 1964, and as Regulations may be amended that in the event of breach of any of the above nondiscrimination covenants, the port shall have the right to terminate the lease, and reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

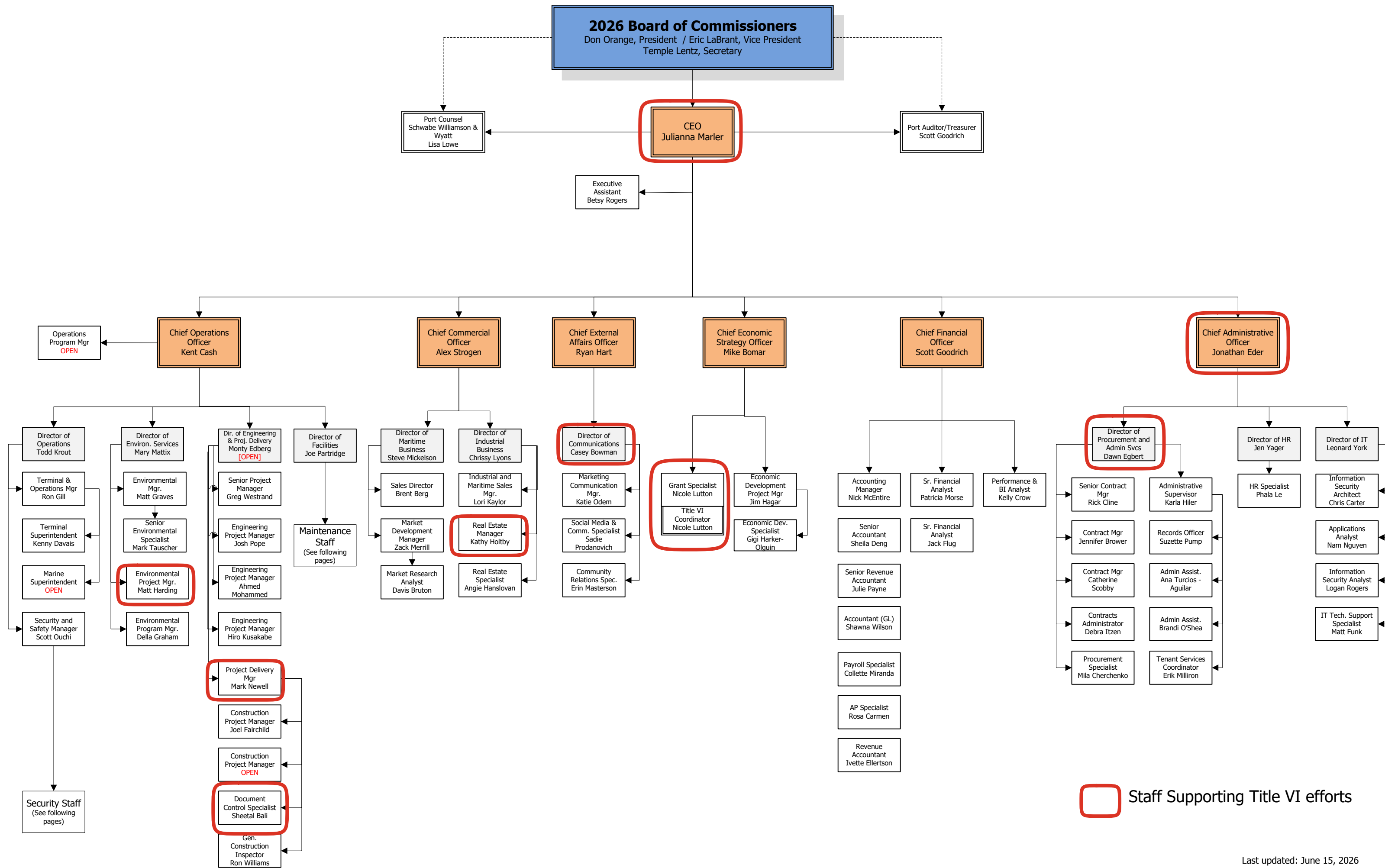


Exhibit E — Languages Spoken at Home (Vancouver, WA) Data

Table: ACSST1Y2021.S1601

LANGUAGE SPOKEN AT HOME					United States [®] Census Bureau
Location: Vancouver, WA					
Label	Total # <i>Estimates</i>	Total % <i>Estimates</i>	# speak English less than "very well" <i>Estimates</i>	% speak English less than "very well" <i>Estimates</i>	% of population that speak English less than "very well" <i>Estimates</i>
Population (aged 5 years and over)	182,256	(X)	16,465	9.0%	(X)
Speak only English	145,803	80.0%	(X)	(X)	(X)
Speak a language other than English	36,453	20.0%	16,465	45.2%	9.02%
SPEAK A LANGUAGE OTHER THAN ENGLISH					
Spanish	14,418	7.9%	6,240	43.3%	3.40%
Other Indo-European languages	13,088	7.2%	6,004	45.9%	3.30%
Asian and Pacific Island languages	7,038	3.9%	3,729	53.0%	2.04%
Other languages	1,909	1.0%	492	25.8%	0.27%
Data From: American Community Survey 2021					
(Dataset: ACSST1Y2021; Table ID: S1601)					