



**Washington State  
Department of Transportation**

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# **Environmental Manual**

M 31-11.28

July 2024

**Engineering and Regional Operations**  
Development Division, Environmental Services Office

## ENGLISH

### Title VI Notice to Public

It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equity and Civil Rights (OECR). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OECR's Title VI Coordinator at (360) 705-7090.

### Americans with Disabilities Act (ADA) Information

This material can be made available in an alternate format by emailing the Office of Equity and Civil Rights at [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

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## ESPAÑOL

### Notificación de Título VI al Público

La política del Departamento de Transporte del Estado de Washington (Washington State Department of Transportation, WSDOT) es garantizar que ninguna persona, por motivos de raza, color u origen nacional, según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964, sea excluida de la participación, se le nieguen los beneficios o se le discrimine de otro modo en cualquiera de sus programas y actividades. Cualquier persona que considere que se ha violado su protección del Título VI puede presentar una queja ante la Oficina de Equidad y Derechos Civiles (Office of Equity and Civil Rights, OECR) del WSDOT. Para obtener más información sobre los procedimientos de queja del Título VI o información sobre nuestras obligaciones contra la discriminación, comuníquese con el coordinador del Título VI de la OECR al (360) 705-7090.

### Información de la Ley sobre Estadounidenses con Discapacidades (ADA, por sus siglas en inglés)

Este material puede estar disponible en un formato alternativo al enviar un correo electrónico a la Oficina de Equidad y Derechos Civiles a [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) o llamando a la línea sin cargo 855-362-4ADA(4232). Personas sordas o con discapacidad auditiva pueden solicitar la misma información llamando al Washington State Relay al 711.

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## 한국어 – KOREAN

### 제6조 관련 공지사항

워싱턴 주 교통부(WSDOT)는 1964년 민권법 타이틀 VI 규정에 따라, 누구도 인종, 피부색 또는 출신 국가를 근거로 본 부서의 모든 프로그램 및 활동에 대한 참여가 배제되거나 혜택이 거부되거나, 또는 달리 차별받지 않도록 하는 것을 정책으로 하고 있습니다. 타이틀 VI에 따른 그/그녀에 대한 보호 조항이 위반되었다고 생각된다면 누구든지 WSDOT의 평등 및 민권 사무국(OECR)에 민원을 제기할 수 있습니다. 타이틀 VI에 따른 민원 처리 절차에 관한 보다 자세한 정보 및/또는 본 부서의 차별금지 의무에 관한 정보를 원하신다면, (360) 705-7090으로 OECR의 타이틀 VI 담당자에게 연락해주시십시오.

### 미국 장애인법(ADA) 정보

본 자료는 또한 평등 및 민권 사무국에 이메일 [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) 을 보내시거나 무료 전화 855-362-4ADA(4232)로 연락하셔서 대체 형식으로 받아보실 수 있습니다. 청각 장애인은 워싱턴주 중계 711로 전화하여 요청하실 수 있습니다.

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## русский – RUSSIAN

### Раздел VI Общественное заявление

Политика Департамента транспорта штата Вашингтон (WSDOT) заключается в том, чтобы исключить любые случаи дискриминации по признаку расы, цвета кожи или национального происхождения, как это предусмотрено Разделом VI Закона о гражданских правах 1964 года, а также случаи недопущения участия, лишения льгот или другие формы дискриминации в рамках любой из своих программ и мероприятий. Любое лицо, которое считает, что его средства защиты в рамках раздела VI были нарушены, может подать жалобу в Ведомство по вопросам равенства и гражданских прав WSDOT (OECR). Для дополнительной информации о процедуре подачи жалобы на несоблюдение требований раздела VI, а также получения информации о наших обязательствах по борьбе с дискриминацией, пожалуйста, свяжитесь с координатором OECR по разделу VI по телефону (360) 705-7090.

### Закон США о защите прав граждан с ограниченными возможностями (ADA)

Эту информацию можно получить в альтернативном формате, отправив электронное письмо в Ведомство по вопросам равенства и гражданских прав по адресу [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) или позвонив по бесплатному телефону 855-362-4ADA(4232). Глухие и слабослышащие лица могут сделать запрос, позвонив в специальную диспетчерскую службу штата Вашингтон по номеру 711.(4232). Глухие и слабослышащие лица могут сделать запрос, позвонив в специальную диспетчерскую службу штата Вашингтон по номеру 711.

## tiếng Việt – VIETNAMESE

### Thông báo Khoản VI dành cho công chúng

Chính sách của Sở Giao Thông Vận Tải Tiểu Bang Washington (WSDOT) là bảo đảm không để cho ai bị loại khỏi sự tham gia, bị từ khước quyền lợi, hoặc bị kỳ thị trong bất cứ chương trình hay hoạt động nào vì lý do chủng tộc, màu da, hoặc nguồn gốc quốc gia, theo như quy định trong Mục VI của Đạo Luật Dân Quyền năm 1964. Bất cứ ai tin rằng quyền bảo vệ trong Mục VI của họ bị vi phạm, đều có thể nộp đơn khiếu nại cho Văn Phòng Bảo Vệ Dân Quyền và Bình Đẳng (OECR) của WSDOT. Muốn biết thêm chi tiết liên quan đến thủ tục khiếu nại Mục VI và/hoặc chi tiết liên quan đến trách nhiệm không kỳ thị của chúng tôi, xin liên lạc với Phó Trí Viên Mục VI của OECR số (360) 705-7090.

### Thông tin về Đạo luật Người Mỹ tàn tật (Americans with Disabilities Act, ADA)

Tài liệu này có thể thực hiện bằng một hình thức khác bằng cách email cho Văn Phòng Bảo Vệ Dân Quyền và Bình Đẳng [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) hoặc gọi điện thoại miễn phí số, 855-362-4ADA(4232). Người điếc hoặc khiếm thính có thể yêu cầu bằng cách gọi cho Dịch vụ Tiếp âm Tiểu bang Washington theo số 711.

## العربية – ARABIC

### العنوان 6 إشعار للجمهور

تتمثل سياسة وزارة النقل في ولاية واشنطن (WSDOT) في ضمان عدم استبعاد أي شخص، على أساس العرق أو اللون أو الأصل القومي من المشاركة في أي من برامجها وأنشطتها أو الحرمان من الفوائد المتاحة بموجبها أو التعرض للتمييز فيها بخلاف ذلك، كما هو منصوص عليه في الباب السادس من قانون الحقوق المدنية لعام 1964. يمكن لأي شخص يعتقد أنه تم انتهاك حقوقه التي يكفلها الباب السادس تقديم شكوى إلى مكتب المساواة والحقوق المدنية (OECR) مع لوزارة النقل في ولاية واشنطن. للحصول على معلومات إضافية بشأن إجراءات الشكاوى و/أو بشأن التزاماتنا بعدم التمييز بموجب الباب السادس، يرجى الاتصال بمنسق الباب السادس في مكتب المساواة والحقوق المدنية على الرقم (360) 705-7090.

### معلومات قانون الأمريكيين ذوي الإعاقة (ADA)

يمكن توفير هذه المواد في تنسيق بديل عن طريق إرسال رسالة بريد إلكتروني إلى مكتب المساواة والحقوق المدنية على [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) أو عن طريق الاتصال بالرقم المجاني: 855-362-4ADA (4232) يمكن للأشخاص الصم أو ضعاف السمع تقديم طلب عن طريق الاتصال بخدمة Washington State Relay الرقم 711.

## 中文 – CHINESE

### 《权利法案》Title VI公告

<華盛頓州交通部(WSDOT)政策規定，按照《1964年民權法案》第六篇規定，確保無人因種族、膚色或國籍而被排除在WSDOT任何計畫和活動之外，被剝奪相關權益或以其他方式遭到歧視。如任何人認為其第六篇保護權益遭到侵犯，則可向WSDOT的公平和民權辦公室(OECR)提交投訴。如需關於第六篇投訴程式的更多資訊和/或關於我們非歧視義務的資訊，請聯絡OECR的第六篇協調員，電話(360) 705-7090。

### 《美国残疾人法案》(ADA)信息

可向公平和民權辦公室發送電子郵件[wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov)或撥打免費電話 855-362-4ADA(4232)，以其他格式獲取此資料。听力丧失或听觉障碍人士可拨打711联系Washington州转接站。

## Af-soomaaliga – SOMALI

### Ciwaanka VI Ogeysiiska Dadweynaha

Waa siyaasada Waaxda Gaadiidka Gobolka Washington (WSDOT) in la xaqiijiyo in aan qofna, ayadoo la cuskanaayo sababo la xariira isir, midab, ama wadanku kasoo jeedo, sida ku qoran Title VI (Qodobka VI) ee Sharciga Xaquuqda Madaniga ah ah oo soo baxay 1964, laga saarin ka qaybgalka, loo diidin faa'iidooyinka, ama si kale loogu takoorin barnaamijyadeeda iyo shaqooyinkeeda. Qof kasta oo aaminsan in difaaciisa Title VI la jebiyay, ayaa cabasho u gudbin kara Xafiiska Sinaanta iyo Xaquuqda Madaniga ah (OECR) ee WSDOT. Si aad u hesho xog dheeraad ah oo ku saabsan hanaannada cabashada Title VI iyo/ama xogta la xariirta waajibbaadkeena ka caagan takoorka, fadlan la xariir Iskuduwaha Title VI ee OECR oo aad ka wacayso (360) 705-7090.

### Macluumaadka Xeerka Naafada Marykanka (ADA)

Agabkaan ayaad ku heli kartaa qaab kale adoo iimeel u diraa Xafiiska Sinaanta iyo Xaquuqda Madaniga ah oo aad ka helayso [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) ama adoo wacaaya laynka bilaashka ah, 855-362-4ADA(4232). Dadka naafada maqalka ama maqalku ku adag yahay waxay ku codsan karaan wicitaanka Adeega Gudbinta Gobolka Washington 711.

If you have difficulty understanding English, you may, free of charge, request language assistance services by calling 360-705-7090 or email us at: [wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)

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## ESPAÑOL – SPANISH

### Servicios de traducción

Aviso a personas con dominio limitado del idioma inglés: Si usted tiene alguna dificultad en entender el idioma inglés, puede, sin costo alguno, solicitar asistencia lingüística con respecto a esta información llamando al 360-705-7090, o envíe un mensaje de correo electrónico a: [wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)

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## 한국어 – KOREAN

### 번역 서비스

영어로 소통하는 것이 불편하시다면 360-705-7090, 으로 전화하시거나 다음 이메일로 연락하셔서 무료 언어 지원 서비스를 요청하실 수 있습니다: [wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)

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## русский – RUSSIAN

### Услуги перевода

Если вам трудно понимать английский язык, вы можете запросить бесплатные языковые услуги, позвонив по телефону 360-705-7090, или написав нам на электронную почту: [wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)

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## tiếng Việt – VIETNAMESE

### các dịch vụ dịch thuật

Nếu quý vị không hiểu tiếng Anh, quý vị có thể yêu cầu dịch vụ trợ giúp ngôn ngữ, miễn phí, bằng cách gọi số 360-705-7090, hoặc email cho chúng tôi tại: [wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)

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## العربية – ARABIC

### خدمات الترجمة

إذا كنت تجد صعوبة في فهم اللغة الإنجليزية، فيمكنك مجاًناً طلب خدمات المساعدة اللغوية عن طريق الاتصال بالرقم 360-705-7090 أو مراسلتنا عبر البريد الإلكتروني: [wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)

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## 中文 – CHINESE

### 翻译服务

如果您难以理解英文，则请致电：360-705-7090，或给我们发送电子邮件：[wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)，请求获取免费语言援助服务。

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## Af-soomaaliga – SOMALI

### Adeegyada Turjumaada

Haddii ay kugu adag tahay inaad fahamtid Ingiriisida, waxaad, bilaash, ku codsan kartaa adeegyada caawimada luuqada adoo wacaaya 360-705-7090 ama iimayl noogu soo dir: [wslotada@wslot.wa.gov](mailto:wslotada@wslot.wa.gov)

- 530.01 WSDOT Policy for Working with Tribes
- 530.02 Treaty Rights
- 530.03 Section 401 Water Quality Certification by Tribes
- 530.04 Section 106 Consultation
- 530.05 Archaeological Resources Protection Act Permit
- 530.06 Hydraulic Project Approval
- 530.07 Tribal Law
- 530.08 Permit Assistance

### **530.01 WSDOT Policy for Working with Tribes**

WSDOT has a unique relationship with tribes due to their legal status, rights reserved through treaties, and cultural interests throughout the state. Tribes retain many sovereign rights that are guaranteed under treaties and federal laws. WSDOT maintains a government-to-government relationship with 35 federally recognized Tribes. We recognize that each federally recognized Tribe is a distinctly sovereign nation. WSDOT employees will consult with Tribes on all decisions that affect their rights and interests. Consultation is independent from the public involvement process. Our goal is to create durable intergovernmental relationships that promote coordinated transportation partnerships in service to all of our citizens. Each reservation in the state constitutes a bordering jurisdiction for state agencies and projects may be subject to various Tribal permits or approvals.

### **530.02 Treaty Rights**

Between 1853 and 1856, treaties were negotiated with tribes in the Washington Territory. In these treaties, tribes reserved a number of rights, including the “right of taking fish, at all usual and accustomed grounds and stations,” which was “further secured to said Indians, in common with all citizens of the Territory.” This phrase is at the heart of the tribal treaty fishing right, and has given rise to the important concept of “usual and accustomed areas” of the treaty tribes, or “U&A areas.” These areas may extend beyond a tribe’s reservation land and also apply to landless tribes. Supreme Court decisions and federal law have affirmed the continued validity of treaties. Federal agencies are bound by their trust responsibility and may require a project to address impacts to tribal treaty rights before issuing a permit. Early consultation with affected tribes is recommended to identify and resolve issues and thereby avoid delays in permitting.

It is important to note, however that tribal areas of interest for consultation are not limited to U&A areas. Tribal Consultation Area maps are available on the GIS Workbench. A summary of court adjudicated tribal fishing areas is available in the [WSDOT Model Comprehensive Tribal Consultation Process for the National Environmental Policy Act](#).

### 530.03 Section 401 Water Quality Certification by Tribes

In Washington State, two agencies (EPA and Ecology) and twelve tribes have Section 401 certification authority. The EPA has Section 401 certification authority in Indian country on behalf of Tribes who do not have “treatment in a similar manner” as a state and on Federal lands with exclusive jurisdiction within the state of Washington. Indian country includes lands within reservation boundaries, trust lands exterior to reservation boundaries, Indian allotment lands, and dependent Indian communities (see [18 U.S.C. 1151](#) for a full definition of Indian country). Find tribes with Section 401 certification authority on EPA’s [Tribes Approved for Treatment as a State](#) webpage. Ecology is authorized to make Section 401 certification decisions for activities on all other federal, public (non-federal) and private lands in the state. See [Chapter 430](#) for background on surface water quality standards and documentation and the WSDOT [Stormwater & water quality](#) webpage for Section 401 certification.

Similar to the Department of Ecology, tribes may provide “Certified,” “Certified Subject to Conditions,” or “Denied Without Prejudice” determinations for activities covered by certain Nationwide permits (NWP) within their jurisdiction. Contact the tribe for more information on these permits.

### 530.04 Section 106 Consultation

Tribes have a consultation role under Section 101 and 106 of the National Historic Preservation Act (NHPA). A Tribal Historic Preservation Office (THPO) can be established by the tribe pursuant to the NHPA and assert jurisdiction otherwise exercised by the SHPO on Indian lands. The following tribes have certified THPOs: Confederated Tribes of Colville, Confederated Tribes of Chehalis, Lummi Nation, Makah Nation, Nooksack Tribe, Port Gamble S’Klallam Tribe, Samish Indian Nation, Sauk Suiattle Indian Tribe, Skokomish Indian Tribe, Spokane Tribe of Indians, Squaxin Island Tribe, Stillaguamish Tribe of Indians, Suquamish Tribe, Swinomish Indian Tribal Community, and Confederated Tribes and Bands of Yakama Nation.

WSDOT must consult with tribes on projects located within a tribe’s Consultation Area. Section 106 consultation usually occurs during the design/environmental review phase of a project; see [Chapter 456](#) for background on Section 106.

### 530.05 Archaeological Resources Protection Act Permit

Under federal statute, tribal governments approve this permit when the project or activity is on tribal trust land. The Bureau of Indian Affairs issues the permit. See [Chapter 456](#) for background on cultural resources and the WSDOT Federal, State, and Local Permits webpage for details on this permit and statutory authority. Contact Bureau of Indian Affairs, Portland Office, and the affected tribe(s) for details on how to apply.

## 530.06 Hydraulic Project Approval

The Washington State Department of Fish and Wildlife (WDFW) requires a Hydraulic Project Approval (HPA) for all non-tribal entities performing HPA activities on tribal trust lands and reservations. Several Tribes, such as the Yakama Nation, also issue approvals similar to an HPA. If you have a project on tribal trust lands or reservation, contact the Tribe's natural resources office and WDFW's biologist assigned to the project to determine whether an HPA and/or similar tribal approval applies. We recommend you coordinate with WDFW and the Tribe to ensure that any permit conditions are not in conflict with one another. Because of the complicated nuances of state, tribal, and federal law and jurisdiction, we recommend you discuss any questions of jurisdiction with ESO's Assistant Attorney General.

## 530.07 Tribal Law

On reservation land, tribal laws may require permits and approvals similar to those required by counties and cities. These permits and approval are required when WSDOT works outside of the highway right of way on the adjacent reservation land. In cases where WSDOT has an easement rather than ownership, the tribe may retain jurisdiction to issue permits and approvals. Examples of permits that may apply include Tribal Environmental Policy Act (TEPA) determinations; critical areas approvals; clearing, grading, and building permits; land use approvals; noise variances; and utility permits. Contact the WSDOT Tribal Liaison for assistance in coordinating tribal permits on reservation land.

## 530.08 Permit Assistance

WSDOT's Tribal Liaison is a central resource for tribal access and problem solving on natural or cultural resource issues relating to tribes for regions and offices that do not have a dedicated Tribal Liaison position. Consultation area maps for tribes are available on the GIS Environmental Workbench.

See the WSDOT [Tribal contacts](#) webpage for tribal contacts. The WSDOT [Centennial Accord Plan](#) includes WSDOT's Executive Order [E 1025.01](#) on Tribal Consultation.

See the WSDOT [Tribal contacts](#) for tribal contacts, links to tribal treaties, relevant statutes, and [Centennial Accord Plan](#) and [Communication and Consultation Protocols](#) and includes WSDOT's Executive Order Protocols. The WSDOT Centennial Accord Plan includes WSDOT's Executive Order [E 1025.01](#) on Tribal Consultation. Contact tribal government for assistance with permits or approvals on projects that may affect tribal lands.

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