



Date: September 30, 2014

TO: Project File

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SUBJECT: SR 124 Monument Rd. /Railroad Crossing - Construct Bridge project
Environmental Justice Determination

In compliance with the Presidential Executive Order 12898, DOT Order 5610.2 and FHWA Order 6640.23, an Environmental Justice Analysis was conducted for the SR 124 Monument Rd./Railroad Crossing - Construct Bridge project. A protected EJ population is present in the project area. The preferred alternative avoids impacts to a major employer in the project area that would have a substantial impact on the EJ community. Avoiding impacts to the business requires relocation of one family (Palominos). The displaced family is Hispanic. Ms. Palominos has expressed support for the project and has been receptive to a plan that would require the purchase or relocation of her mobile home resulting in a residential relocation. Ms. Palominos has expressed a preference to be relocated on the remainder of their parcel. WSDOT will endeavor to comply with this preference to the fullest extent possible in accordance with the Uniform Assistance and Real Property Acquisition Policies Act of 1970 as amended. WSDOT has documented this compliance effort in the attached Relocation Plan. Fulfilling the displaced family's preference for relocation will ensure the project does not have disproportionate high and adverse effects.

Project Description

The railroad crossing, USDOT #844397U, on SR 124 near the Monument Drive turnoff has been identified as a location with a history of train/vehicle collisions. Roadway elevations and the geometry of the roadway/railroad intersection create reduced sight distances for westbound motorists on SR 124. The crossing is currently equipped only with cantilever mounted flashing lights. Grade separation of this crossing was recommended by a diagnostic review team, including WSDOT, FHWA, UTC, and Union Pacific Railroad.

This project will eliminate the risk of train and vehicle collisions at this railroad crossing by constructing a bridge to allow SR 124 traffic to cross over the railroad. Monument Road will also be realigned in order to improve sight distance at the intersection.

Demographic Data

Table 1 summarizes 2010 census data for the area within ½ mile of each side of centerline of the project. Note: The 2010 Census data may not have captured the potentially affected EJ family for a variety of reasons: They were not living there at the time of census; they did not receive and/or complete the census questionnaire; etc.

Table 1: Population by Race

Minority	Number of Persons	Percentage
White Alone	3	100
Hispanic or Latino (of any race)	0	0
American Indian and Alaskan Native	0	0
Black or African American	0	0
Asian	0	0
Native Hawaiian and Other Pacific Islander	0	0
Some Other Race Alone or in Combination	0	0
TOTAL POPULATION	3	100

Source: EJ View web site Census 2010 Summary Report attached. Percentages were adjusted to account for rounding.

The closest elementary school is Columbia Elementary School. The school demographic data is summarized in Table 2. Columbia Elementary is the only elementary school in the Walla Walla school district. Because it serves a broad rural area, the demographic data does not accurately reflect the minority and low income population in the project area.

Table 2: Columbia Elementary School Demographic Data

	Enrollment	Percentage
White	225	61.1%
Hispanic or Latino	128	34.8%
American Indian and Alaskan Native	N/A	N/A
Black or African American	8	2.2%
Asian	N/A	N/A
Native Hawaiian and Other Pacific Islander	N/A	N/A
Two or More Races	7	1.9%
Free or Reduced – Price Meal Participation	209	58.9%
Transitional Bilingual Education	68	19.2%

Source: Washington State Office of Public Instruction [Washington State Report Card](#) website. Report attached. Percentages were adjusted to account for rounding.

A field survey of the project area revealed that there are two homes and one business within ½ mile of the project. One household is Caucasian (two persons) and the other is Hispanic (four persons). One of the Hispanic residents is disabled. The business, Tri-Fresh LLC, is a fruit and vegetable manufacturing and wholesaler. It operates on a seasonal basis (typically July through October) and employs 50 people, who are predominately (98%) Hispanic. The project team relied on the field survey data to reflect the demographic character of the project area, confirming that EJ populations are present in the project area.

Project Effects

Construction of the bridge and realignment of Monument Road will require purchase of additional right of way. The project team evaluated two alternatives: widening on the north side of SR 124 and widening on the south side of SR 124. Widening on the north side of the highway would require partial acquisition of the Tri-Fresh LLC property. Although the partial acquisition would not affect the current buildings on the property, it would substantially limit their ability to grow and could result in a reduction in work force and overall business viability. Widening to the south would affect two residential parcels; one Caucasian and one Hispanic, see Attachment 1 – Impact Areas Showing the Affected Property. A portion of the pasture owned by the Caucasian household would be needed for the project. The portion of the parcel owned by the Hispanic household would require relocation of the dwelling and a storage building. Neither alternative completely avoids impacts to the Hispanic community; however, it was determined that adverse impacts could be minimized by widening on the south side of the highway.

WSDOT's South Central Region Real Estate Services contacted all land owners who would be affected by widening on the south side of the highway. Terri Brown visited Ms. Palominos, the Hispanic owner occupant of the home that will be impacted, on April 14, 2014. WSDOT staff was accompanied by an interpreter and Ms. Palominos's daughter, who is bilingual and speaks English very well, attended the meeting to assist her mother. WSDOT staff explained the project, the need for additional right-of-way, and WSDOT's acquisition and relocation process and program. They provided Ms. Palominos with pamphlets describing the process and the necessary forms in both English and Spanish. They toured the property and discussed the family's needs and concerns. A detailed description is included in the attached Relocation Program Plan. Comparable housing with three bedrooms, two baths and a 2 to 3 car detached garage is available in the unincorporated community of Burbank where the family's Pit Bull Terriers and Rottweilers would be allowed. However, Ms. Palominos expressed a preference to relocate onto the remainder of her existing property.

The attached Relocation Program Plan describes three options for relocating Ms. Palominos and her family:

- Move the existing mobile home to another location on the existing property,
- Replace the existing mobile home at another location on the existing property, or
- Relocate the family to a new location and home.

WSDOT has established a good working relationship with the family and will continue to work with them when funds become available to ensure that the best mutually acceptable solution is reached. Ms. Palominos has expressed support for the project and has been receptive to a plan that would require the purchase or relocation of her mobile home resulting in a residential relocation. Ms. Palominos understands the process and programs available to her, and has access to legal counsel.

Several traffic control strategies, such as a detour, or alternating one-lane two-way traffic control will be considered during design to maximize safety and minimize the disruption to the community and traveling public. If a detour is selected, the project office will work with local officials and affected residents to ensure that the route does not disproportionately affect EJ populations.

Short-term increases in dust and noise will impact adjacent residences during construction, but these impacts are not highly adverse and will be mitigated through best management practices.

Determination

Although an EJ population does exist in the project area, the preferred alternative minimizes impacts to the EJ community. The affected property owner is receptive to a mutually acceptable relocation plan that has been proposed in accordance with the Uniform Assistance and Real Property Acquisition Policies Act of 1970 as amended. Therefore, the project does not have disproportionate high and adverse effects on identified EJ populations and has met the provisions of Executive Order 12898, as it is supported by Title VI of the Civil Rights Act.

VIS: vis.

Attachments:

- Completed EJ Decision Matrix for SR 124 Monument Rd./ RR Xing – Build Railroad Overcrossing
- 2010 Census Summary Report
- 2006-2010 ACS Summary Report
- Columbia Elementary School OSPI Washington State Report Card Summary Report
- Relocation Program Plan SR 124 Railroad Overcrossing
- Attachment 1 – EJ Impact Areas Showing the Affected Property
- Vicinity Map – SR 124 Monument Rd./RR Xing – Build Railroad Overcrossing