

Environmental Justice

Executive Order 12898 on Environmental Justice directs federally funded programs, policies, and activities to examine whether they would have disproportionately high and adverse human health and environmental effects on minority or low-income populations.

The fundamental concepts of Executive Order 12898 are to:

- Identify protected populations that could be affected by a project, to help avoid, minimize, or mitigate disproportionately high and adverse effects on those populations.
- Ensure participation by the communities in the transportation decision-making process.
- Prevent denial or delay of the receipt of benefits by the protected populations.

The U.S. Department of Transportation defines a “disproportionately high and adverse effect” as an adverse effect that is predominately borne by a minority population and/or a low-income population; or will be suffered by one of those populations and the impact is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority or non-low-income populations, within a given area.²⁸ This analysis compares data for US Census 2000 block groups to the county and state statistics.

The term “adverse effects” includes a wide range of environmental and social impacts, such as displacement of residents and businesses, impacts resulting from increased air and water pollution, noise levels, visual disruption of a neighborhood, and environmental damage or risk to human health from hazardous materials.

²⁸ DOT Final Justice Order, published in the Federal Register on April 15, 1997.

The Socioeconomics Technical Report provides details on the following:

- Demographics: total population, gender, race, age, education, disabilities, households, income, transportation modes, data tables.
- Extended Environmental Justice evaluation.

Minorities are defined as Black (or African American, having origins in any of the black racial groups of Africa); Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race); Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or American Indian and Alaskan Native.

Low-Income households are defined by FHWA guidance as households with an income at or below the Department of Health and Human Services poverty guidelines. The Census Bureau uses poverty thresholds. This analysis uses the Census Bureau’s poverty statistics based on its calculation of people below the poverty line threshold (also referred to as “very low income”, since it can be more easily attributed to a geographical area.

Census Tracts are small statistical subdivisions of counties, generally having stable boundaries and, were originally designed to have relatively homogeneous demographic characteristics.

Block Groups are a collection of census blocks within a census tract, sharing the same first digit of their four-digit identification numbers. Blocks are geographic subsets of Block Groups.

Mitigation and offsetting benefits to affected populations can be taken into account when determining whether a project will have disproportionately high and adverse effects on minority and low-income populations.

More information about these populations in the Sunrise Project area is presented in the Socioeconomics Technical Report.

Finding for EO 12898

The Sunrise Project’s **Preferred Alternative** will not have disproportionately high and adverse effects on minority and low-income populations. This finding is based on US Census 2000 data and methodology from the “Draft National Guidance for Conducting Environmental Justice Analyses” (EPA, 1998). While EJ populations do exist in the study area, and while there will be adverse effects from the project, adverse effects on minority and low-income populations will not be borne disproportionately by those populations and adverse impacts will be mitigated. In addition, the potential benefits compared to the future **No Build** conditions include lower noise levels for some areas, improved access to the regional transportation network, shorter travel times for personal, business, transit, and emergency vehicles, and enhanced safety (fewer accidents).

The study area contains nine block groups, of which, six contain minority and low-income populations in larger concentrations than are found at the state level (see Figure 31). Based on methodology from the “Draft National Guidance for Conducting Environmental Justice Analyses” (EPA, 1998), meaningfully greater is used to mean more than 1.2 times the state ratios. (Clackamas County data are provided on Figure 31 and in the Socioeconomic Technical Report for context.)

Minorities in the Study Area

Four block groups in the study area have meaningfully greater concentrations of minority (non-white/Hispanic or Latino) individuals than the state’s ratios of 13 percent (non-white) and 8 percent (Hispanic/Latino).

These block groups include:

CT 221.03:

- BG 1 (between 135th and 152nd Avenues north of OR 212/224), 20 percent of Asian, Other

CT 221.04:

- BG 1 (East of I-205 and south of Jennifer Street), 9 percent Hispanic/Latino
- BG 4 (East of I-205, north of Mather Road), 18 percent African American, Asian, Other and/or Hispanic/Latino
- BG 5 (Industrial Way to 132nd Avenue north of OR 212/224), 16 percent African American, Asian, Other and/or Hispanic/Latino

Low-Income Population in the Study Area

Two block groups in the study area have meaningfully greater concentrations of low-income individuals than the state’s 12 percent. The EJ areas of concern for low-income individuals are:

CT 221.04:

- BG 1 (East of I-205 and south of Jennifer Street), 18 percent below the federal poverty line.
- BG 2 (East of I-205, north of Mather Road), 25 percent below the federal poverty line.

Impacts

The potential adverse impacts from the Sunrise Project consist of residential and business displacements, increased noise levels, and habitat, stormwater, and wetland impacts. The potential benefits compared to the future **No Build** conditions include lower noise levels for some areas, improved access to the regional transportation network, shorter travel times for personal, business, transit, and emergency vehicles, and enhanced safety (fewer accidents).

Displacement Impacts

Residential displacements will occur in four of the nine block groups within the study area, as follows:

- BG 1 (CT 221.03)
- BG 2 (CT 221.04)

- BG 5 (CT 221.04)
- BG 3 (CT 232.02)

The first three of the block groups have ratios of minorities or low-income persons higher than the state level. The fourth, in CT 232.02, has a ratio of Hispanic/Latino persons equivalent to the state (8 percent) and a ratio of low-income persons (3 percent) well below that of the state (12 percent). Because there are minorities and low-income persons in that block group, it is included in the displacement analysis.

BG 1 and BG 4 of CT 221.04 (block groups with potential EJ populations) will not have any residential displacements caused by the Sunrise Project.

The known number of displacements in the four block groups were multiplied by the average number of persons per household (PPH) in that block group, which resulted in a total estimated number of people that are expected to be displaced. This total was then multiplied by the ratio of minority or low-income persons for that block group to determine the probable number of protected persons who would be displaced. Those totals were then compared to the total number of people (residents) expected to be displaced by the whole project based on the average PPH.

The analysis predicts that under **Alternatives 2** and **3** with any of the design options, up to 28 minority persons would likely be displaced out of a total of up to 203 persons displaced (14 percent). Up to 22 low-income persons would likely be displaced (11 percent). The ratios of minority and low-income displaced persons are not disproportionate when compared to the ratio of minority persons (13 percent) and low-income persons (12 percent) in the state.

Under the **Preferred Alternative**, the analysis predicts that 12 minority persons would likely be displaced out of a total of 143 persons displaced (8 percent). Twenty-one low-income persons would likely be displaced (14 percent). The ratios of minority and low-income displaced persons are not disproportionate when compared to the ratio of minority persons (13

percent) and low-income persons (12 percent) in the state.

Therefore, displacement impacts are not likely to be borne disproportionately by minority or low-income persons.

Impacts on the Natural Environment

Habitat, stormwater, and wetland impacts as they relate to EJ, primarily have to do with ensuring that the impacts on the resources do not adversely affect protected populations who depend on those habitats in some way. An example would be a population using habitat to supplement their diet. Most of the habitat and wetlands are within urban areas and are not known to be used by protected populations in a different way than non-protected populations. Therefore, the impacts will be spread across all populations in the study area.

Noise Impacts

The two block groups abutting I-205 to the east have higher ratios of low-income populations and currently experience noise levels above the NAC. Under **Alternative 1—No Build** noise levels would be slightly higher. Under the **Preferred Alternative** with mitigation (noise walls E205N-3 and E205S-5) noise levels for those adjacent to I-205 will be 8 to 10 dBA lower than existing or future **No Build** conditions. Therefore, those EJ populations will have a benefit from the Sunrise Project.

Conclusion

In conclusion, the project will not create high and adverse impacts disproportionately on Environmental Justice populations for one or more of the following reasons:

- 1) the adverse displacement impacts will be mitigated through the Uniform Act (providing relocation benefits)
- 2) noise abatement measures will decrease noise levels in the low-income area east of I-205 (north of OR 212/224) compared to existing conditions; and,

3) the project will have offsetting mobility and safety benefits that accrue to all people in the study area.

Table 11 presents the data used in this analysis. The following discussion presents the data and analysis used to support the finding.

Data

The process of identifying environmental justice communities begins with the identification of the best available demographic information in the vicinity of the proposed project. The Sunrise Project used census data from the year 2000 at the block group level as the basis of the identification process.

The 2000 Census is the only rigorous demographic data set that is available at this fine level of detail or geography and as such is always the first choice for identifying specific population attributes such as race or income levels. Clackamas County relies on the decennial census and does not collect information on local population demographics in the years between the decennial censuses.

The American Community Survey, which is conducted annually by the U.S. Census, is not available at the census tract or block group level. There are no other rigorous demographic data sources available for the Environmental Justice analysis. During the analysis process, other local review was conducted, including the location of known low-income housing projects, manufactured home parks, Section 8 units, and the results of a county land use field inventory (April–May 2006), to confirm the information provided by the census data.

Figure 31, Environmental Justice Areas of Concern, shows the Census Block Groups in the project study area, together with selected race and income data for each of the block groups. The local review of environmental justice communities was determined using the methodology set out by the U.S. Environmental Protection Agency (EPA) in the Draft National Guidance for Conducting Environmental Justice Analyses in 1998. This methodology set out a

clear and systematic approach for identifying potential environmental justice communities by comparing individual block group data with the county and state percentages of minorities and low-income populations.

The following Census Block Groups were identified as containing environmental justice communities based on having meaningfully greater ratios of minorities or low-income persons than the state ratios:

CT 221.03:

- BG 1 (between 135th and 152nd Avenues north of OR 212/224), 20 percent of Asian, Other.

CT 221.04:

- BG 1 (East of I-205 and south of Jennifer Street), 18 percent below the poverty line.
- BG 2 (East of I-205, north of OR 212/224), 25 percent below the poverty line.
- BG 4 (East of I-205, north of Mather Road), 18 percent African American, Asian, Other and/or Hispanic/Latino.
- BG 5 (Industrial Way to 132nd Avenue north of OR 212/224), 16 percent African American, Asian, Other and/or Hispanic/Latino.

When considering the impacts of the project on environmental justice communities, it is necessary to remember that there are three distinct population groups that are affected directly or indirectly by the project build alternatives, and that these impacts can be good or bad for all populations. The first population to be considered is the population that will be relocated by build alternatives. This population is the subject of most of the following analysis because it is the one that is directly impacted.

The second population to be considered is the larger environmental justice community as a whole, whether or not it is directly impacted by

a project build alternative. In the case of the Sunrise Project build alternatives, the indirect and cumulative impacts to this population are very similar, if not exactly the same, as the impact to the resident population remaining after the completion of project build alternatives.

The third population is the resident population remaining after the project build alternatives are completed. Impacts to this population are described in this document, some of which are positive and some negative. But, in general, the benefits of the build alternatives—improved mobility, safety, and noise abatement—to the resident protected populations outweigh the negative impacts of the improvements.

Table 11 provides a summary of selected comparative demographics for the Census Block

Groups in the Sunrise Project study area, in Clackamas County, and in the state of Oregon.

The following general statements can be made about the racial composition of the study area, Clackamas County, and the state.

- In general, the ratio of minorities to “Whites Alone” in the block group study area is similar to that of the state and slightly lower than Clackamas County.
- The ratio of Asian American population to the whole population in the study area is higher than in Clackamas County and the state, but less than in the Portland metropolitan area.

Table 11. Summary of Selected Comparative Demographics

U.S. Census, 2000 Population by Race	CT 221.03 BG 1	CT 221.04 BG 1	CT 221.04 BG 2	CT 221.04 BG 4	CT 221.04 BG 5	CT 232.02 BG 3	Block Group Study Area ¹	Clackamas County	State of Oregon
Minority Data									
Total Population	4,013	997	775	3,547	5,548	1,880	23,613	338,391	3,421,399
White Alone	3,211	924	731	2,946	4,681	1,731	25,145	308,512	2,961,623
Percent of Total	80%	93%	94%	83%	84%	92%	88%	91%	87%
Black Alone	70	31	0	72	104	0	333	2,184	55,662
Percent of Total	2%	3%	0%	2%	2%	0%	1%	1%	2%
Asian Alone	386	0	0	191	373	0	1,251	8,114	101,350
Percent of Total	10%	0%	0%	5%	7%	0%	4%	2%	3%
Hispanic/Latino of Any Race	156	88	34	254	229	142	1,293	17,021	275,314
Percent of Total	4%	9%	4%	7%	4%	8%	5%	5%	8%
All Other	346	42	44	338	390	149	1,884	19,581	302,764
Percent of Total	9%	4%	6%	10%	7%	8%	7%	6%	9%
Low-Income Data									
Total Population²	3,977	984	775	3,547	5,523	1,870	28,325	335,122	3,347,667
Below Poverty Line	196	176	193	372	208	47	1,825	21,969	388,740
Percent of Total	5%	18%	25%	11%	4%	3%	6%	7%	7%
Displacements?	Yes	No	Yes	No	Yes	Yes			
Minority (M) or Low Income (LI) Communities?	M	LI	LI	M	M	-			

¹See Figure 31, page 121.

² Total Population is different because economic census data is from 1999.

- The ratio of African American population to the whole population in the study area is slightly lower than in the state but the same as in Clackamas County overall.
- The ratio of Hispanic population to the whole population is about the same in the study area and Clackamas County but lower than in the state as a whole.
- The ratio of Hispanic or Latino residents in the study area is generally similar to, or lower than, the populations in Clackamas County and in the state. Three block groups have ratios that are higher by a few percentage points.
- Block Group 1 of Census Tract 221.03 and Block Groups 4 and 5 of Census Tract 221.04 have a somewhat higher proportion of Asian American residents than Clackamas County and the state. The block groups with a higher share of Asian American people also have a slightly higher share of African American people.
- Block Group 1 of Census Tract 221.04 has one percent higher ratios of African Americans (3 percent) and Hispanics/Latinos (9 percent) than the state's ratios of 2 and 8 percent.

Low-Income Populations

The following general statements can be made about the distribution of very low-income and low-income individuals and households in the study area, Clackamas County, and the state.

- Block Groups 1, 2, 3, and 4 of Census Tract 221.04 have median household incomes lower than the state median.
- Block Groups 1 and 2 of Census Tract 221.04 have double the proportion of persons in poverty compared with the state. The residential area of BG 2 is east of I-205 from about Lawnfield Road south to about SE Beaverlake Street. BG1 is mostly outside any proposed direct impacts from

the build alternatives, but its northwest corner abuts I-205, where the Sunrise Project will transition to the existing highway.

- The remaining block groups in the study area had poverty rates comparable to or less than Clackamas County and state poverty rates.

Other Groups

Within the block groups surrounding the Sunrise Project area, there are higher concentrations of children, the elderly, and the disabled than are found at the census tract level. Though their protection may be important to the community, they are not specifically named in Executive Order 12898.

Block Group 3 of Census Tract 221.04 has nearly triple the ratio of people who are 65 and older compared to Clackamas County and the state, because it is the location of a manufactured home park for persons over 55 years of age and the total population in the block group is relatively small.

In Block Groups 2 and 3 of Census Tract 221.04, the proportion of disabled people is more than twice that of Clackamas County and the state. It should be noted that this population is self-identified in the census process and many of the individuals that have identified themselves as disabled are employed.

Affordable housing in the land use study area consists of 74 subsidized rental housing units (Section 8) (see Figure 31) units and a number of units operated by the Clackamas County Housing Authority. None of these affordable housing units would be displaced by any alternative or design option.

More information on these groups can be found in the Socioeconomics Technical Report.

Residential Displacement Impacts

The number of residential displacements (in the four affected block groups) were multiplied by the average number of persons per household (PPH), which resulted in a total estimated number of residents that are expected to be displaced. This total was then multiplied by the ratio of minority or low-income persons for that block group to determine the probable number of minority and non-minority persons who would be displaced. The totals for all affected block groups were then converted to ratios and compared to the state ratios of minority and low-income persons.

BG 1 (CT 221.03):

Under **Alternatives 2 and 3**, 33 residential units would be removed. In those units, 95 people on average reside, of which 19 would probably be minorities (20 percent [all decimals rounded to a whole number]). With **Design Option C-2**, 4 units would be removed, in which 12 people would be expected to reside. Of those, two would likely be minorities. With **Design Option C-3**, 35 units would be removed, affecting 101 people, of which 20 would likely be minorities, approximately the same impact as **Alternatives 2 and 3**.

Under **Alternatives 2 and 3**, 22 people would probably be low-income (25 percent). With **Design Option C-2**, one person would likely be a minority person and none would be low-income. With **Design Option C-3**, four would likely be low-income.

Under the **Preferred Alternative**, four residential units would be removed, affecting 12 persons. Of those, two people are likely to be minorities and one person is likely to be below the poverty line.

BG 2 (CT 221.04):

Under **Alternatives 2 and 3**, 27 residential units would be removed. In those units, 70 people on average reside, of which 4 would probably be

minorities (7 percent) and 17 would probably be below the poverty line.

Adoption of **Design Option A-2** would not affect the totals.

Under the **Preferred Alternative**, 28 residential units would be removed. In those units, 75 people on average reside, of which 5 would probably be minorities (7 percent) and 19 would probably be below the poverty line.

BG 5 (CT 221.04):

Alternatives 2 and 3, four residential units would be removed. In those units, 11 people on average reside, of which two would probably be minorities (16 percent). Under **Design Option B-2**, three additional residences would be removed, affecting 19 people, of which three would probably be minorities.

Zero persons below the poverty line are likely to be displaced in this block group because the rate of poverty is relatively low, at 4 percent.

Under the **Preferred Alternative**, four residential units would be removed, so the impacts would be the same as under **Alternatives 2 and 3**.

BG 3, CT 232.02:

Alternatives 2 and 3, seven residential units would be removed. In those units, 19 people on average reside, of which two people would probably be minorities (8 percent). With **Design Option D-2**, eight units would be removed, in which 22 people would be expected to reside. Of those, two persons would likely be a minority. **Design Option D-3** would have the same impacts as **Design Option D-2**.

The ratio of persons below the poverty line is lower in this block group (3 percent) than in the state. Only one person is likely to be displaced under any of the alternatives with any design option except C-2, in which case no low-income people are likely to be displaced.

Under the **Preferred Alternative**, 17 residential units would be removed, affecting 46 persons. Of those, four persons are likely to be minorities. One is likely to be low-income.

The analysis predicts that under **Alternatives 2 and 3** with any of the design options, up to 28 minority persons would likely be displaced out of a total of up to 203 persons displaced (14 percent). Up to 22 low-income persons would likely be displaced (11 percent). The ratios of minority and low-income displaced persons are not disproportionate when compared to the ratio of minority persons (13 percent) and low-income persons (12 percent) in the state.

Under the **Preferred Alternative**, the analysis predicts that 12 minority persons would likely be displaced out of a total of 143 persons displaced (9 percent). Twenty-one low-income persons would likely be displaced (15 percent). The ratios of minority and low-income displaced persons are not disproportionate when compared to the ratio of minority persons (13 percent) and low-income persons (12 percent) in the state. Therefore, displacement impacts are not likely to be borne disproportionately by minority or low-income persons.

The displacement impacts are adverse but the mitigation available in accordance with the Uniform Relocation Act, and high existing vacancy rates reduces those impacts.

Community Resources

Retaining and protecting access to community facilities in and near the Sunrise Project area is part of the effort to reduce impacts on protected populations. The parks, schools, and churches identified in the Business and Communities Section and Parks and Recreation Section of this Chapter (see Figure 29, Community Features) are the known community facilities in the study area. There are no religious or fraternal organizations, service centers for low-income populations, or similar facilities that might be particularly associated with environmental justice populations. Other important resources are the existing community

centers in manufactured home parks and apartment complexes. Therefore, no high and adverse impacts to community services will occur under the **Preferred Alternative**.

Travel Patterns and Accessibility

According to Census 2000 data, between 89 and 91 percent of people in the study area and in Clackamas County drove to work, including 10 percent that carpooled. An exception is Block Group 2 of Census Tract 221.04, in which 69 percent drove to work and 18 percent carpooled. That block group also had more transit users (15 percent compared to 3 percent countywide), as well as walkers and cyclists (10 percent compared to 2 percent countywide). Proportionately fewer households in Block Group 2 have access to two vehicles compared to the percentage in Clackamas County.

This block group also has a low median household income and a high share of poverty when compared to the block group study area. It also has a high share of people with disabilities (26 percent). This area has low median household income and relatively high poverty compared to the county population.

About 10 percent of households in Block Group 1 of Census Tract 221.04 have no access to a vehicle compared to 5 percent in the county as a whole. Eight percent of households in Block Group 3 of Census Tract 221.04 had no access to a vehicle.

The **Preferred Alternative** will benefit minority and low-income people in the entire project area by increasing mobility and resulting in greater transit service, including an express bus. Therefore, there will not be high and adverse impacts borne disproportionately by those populations.

Noise Impacts

The Sunrise Project study area has a number of locations that have been affected by noise from I-205 since it was constructed in the 1970s. The residential areas with the greatest existing noise levels are east of I-205 from the Lawnfield

Road area to south of OR 212/224. The Old Clackamas neighborhood in CT 221.04, BGs 1 and 2 have been identified as low-income areas and BG 1 has slightly higher concentrations of Hispanic/Latinos and African Americans.

The proposed sound walls associated with the Sunrise Project build alternatives (Walls E205N-3 and E205S-5) will mitigate noise levels. In Old Clackamas neighborhood, the levels will be below their current levels after the Sunrise Project is completed. South of OR 212/224, the noise wall will provide mitigation for a small mobile home park. This area is designated for commercial use in the Clackamas County Comprehensive Plan but Clackamas County staff anticipates that the area would remain in residential use through 2017 to 2023. After the noise wall is built, the area would still have noise levels above the NAC (68 dBA), but that noise level will be lower than existing conditions (76-78 dBA) and future conditions under **Alternative 1—No Build** (78-79 dBA).

The noise abatement benefits in those areas would be enjoyed by all residents. Similar circumstances exist at several points along the Sunrise Project alignment to the east of Camp Withycombe. Therefore, noise impacts will not be high and adverse in the area identified as having higher levels of low-income people.

Air Quality Impacts

There are no identified air quality impacts from the Sunrise Project build alternatives. Therefore, there are no high and adverse air quality impacts that could negatively affect environmental justice communities or the larger residential community.

Determining Environmental Justice Effects

There are three fundamental elements of environmental justice:

1. Full and fair participation by all potentially affected communities.

2. Prevention of the denial of, reduction in, or significant delay in the receipt of benefits by environmental justice communities.
3. Avoidance, minimization, or mitigation of disproportionately high and adverse human health, environmental, social, or economic effects on environmental justice communities.

The first and second elements are addressed in the same way for all alternatives, below. The third element is addressed for **Alternatives 2 and 3** in narrative format, and in Table 12 for the **Preferred Alternative**.

Element 1. Full and fair participation by all potentially affected communities in the transportation decision-making process.

The Sunrise Project public involvement program made an extra effort to address environmental justice communities, as previously discussed in the Executive Summary. Appropriate public involvement and outreach strategies were designed to help engage minority and low-income environmental justice populations that may be affected by any of the proposed Sunrise Project alternatives, including the **No Build Alternative**. By targeting special outreach to environmental justice communities, the project tried to identify potential project benefits and adverse impacts as they are perceived by the communities. Mitigation opportunities were also expected to be suggested by the communities.

The public involvement team used U.S. Census data to identify concentrations of environmental justice populations and supplemented this information with data on the locations of low-income housing units, Housing Authority-owned housing, and Section 8 housing units. Several census tracts in the study area have populations above the state average of low-income residents. There is only one census tract with a high percentage of minority residents, specifically Asian American. This census tract is also higher income. There was no

information indicating that there are language barriers for residents in this census tract.

Although individual household income information is unknown for residents of the many manufactured home communities in the area, the Sunrise Project public involvement team chose to provide opportunities for manufactured home park residents to obtain information and provide input on the project, since displacement issues are more complex for manufactured home owners.

Specific outreach conducted by the Sunrise Project team included meeting with managers of manufactured home parks, distributing meeting invitations and flyers door-to-door within manufactured home parks and to site addresses in order to reach renters and business lessees (not just property owners), and presenting project information at a meeting of the Clackamas County Community Action Board. In addition, a Project Advisory Committee position was specifically filled by a member from a population identified in Executive Order 12898.

Element 2. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by environmental justice communities.

Most aspects of mitigation for property acquisition and residential and business relocations are addressed by federal and state regulations, which require that property be purchased at fair market value and that all displaced residents be provided decent, safe, and sanitary replacement housing.

In the case of the Sunrise Project build alternatives, it should be noted that the residential relocation impacts of the project are a small portion of the total number of residences in the study area. The Sunrise Project land use study area contains a total of 5,345 residential units—2,400 single-family residential units, 1,832 multi-family residential units, and 1,113 mobile homes.

Design Option C-2 with either **Alternative 2** or **3** would result in the least number of residential unit displacements (43).

Design Option B-2 (1996 Split Interchange–Modified) with **Alternative 2** would result in the highest number of residential unit displacements (75).

Alternatives 2 or **3** would result in displacement of 72 residential units.

The range of residential units impacted for all build alternatives is between 0.8 percent and 1.4 percent of the existing residential units in the study area.

These impacts to residential units are predominantly located in two areas:

- There is a 30-unit manufactured home park at SE 152nd Avenue that is within the physically constrained corridor between the Clackamas River and the Clackamas River Bluff. This housing is old and in relatively poor condition. It is probably one of the few low-income developments in a block group.
- The Old Clackamas neighborhood, which has been identified as within a census geography with somewhat higher percentages of people living below the poverty line is located along the east side of I-205, between the freeway and the Clackamas Industrial Area. This small residential area was isolated by the I-205 construction in the 1970s. It has been subject to impacts from that facility ever since.

Federal and state guidelines, such as the Uniform Act, determine the standards and procedures for providing replacement housing, based on the characteristics of individual households. Relocation benefit packages usually include replacement housing for owners and renters, moving costs, and assistance in locating replacement housing. Similarly, relocation benefits for businesses include moving costs, site search expenses, and business re-establishment expenses. As with displaced

residential units, the specifics of a relocation package are determined on an individual basis according to ownership or tenant status. In general, attempts have been made to minimize the relocation impacts to residences, businesses, and public facilities. Eligibility and terms of relocation assistance would be determined by a real estate team after the NEPA process has been completed.

Displacement of residents and community resources would be mitigated by first exploring relocation options within their neighborhoods, which could mitigate the impact to the residents and avoid the loss of these resources to their communities. This is especially important for neighborhood resources, such as the 30-unit Sunrise Village manufactured home park, which provides affordable housing options in the area.

During the planning and alternatives development process, the project designers attempted to avoid and minimize potential acquisition impacts by modifying alignments or shifting alignments as possible. These shifts were conducted to minimize acquisition needs and to avoid undesirable building and access impacts. Right-of-way business displacements, losses in parking, and changes in access were based on preliminary conceptual designs for the build alternatives.

Housing choices are available throughout the Portland-Vancouver metropolitan area with a varying level of affordability. The March 20, 2008, RMLS Housing Market Report lists the year-to-date housing market information for the Milwaukie/Clackamas area as follows:

Listings on the market:	1,264
Pending Sales Year-to-Date:	349
Closed Sales Year-to-Date:	275
Average Sale Price:	\$356,000
Median Sale Price:	\$300,000

It is reasonable to assume that there will be sufficient relocation possibilities for residents who would be affected by the proposed project, with the possible exception of some of the

residents of manufactured home sites. All of the 30-unit Sunrise Village manufactured home park units might be relocated by some of the build alternatives.

There are limited opportunities to relocate older-style, single-wide manufactured homes in the region. Many such home parks in the immediate area operate at capacity. Most manufactured home parks do not accept single-wide units. Some of the existing single-wide manufactured homes may not have sufficient structural integrity to support a move to another location. Ideally, relocations would be near their original location, although this may not be possible. These relocations could potentially occur in the following ways:

- Purchase or construction of sites suitable for manufactured home units, although this might be difficult because of current standards on types of units allowed.
- Purchase of impacted residents' low-value manufactured housing units, and replacement with newer units that are comparable, or better, to ones displaced, that would be accepted in existing manufactured home parks.

Searching early for relocation opportunities to maximize the possibility of finding suitable relocation options would be important. This might require early permission to purchase property and the allocation of funds to do so.

Project partners may need to serve as providers of housing of last resort for low- or moderate income residents who are unable to find suitable, comparable replacement housing, particularly for owners/residents of older-style manufactured housing units.

It is difficult to forecast the availability of future replacement low-income housing for units that may be displaced by the Sunrise Project, given the uncertainties of the housing market and regional economy. However, the RMLS Housing Market Report provides a snapshot of available housing units at different price points in the project vicinity (zip codes 97015, 97027, 97045,

and 97267). In March 2008 the following were available:

- 4 properties under \$100,000
- 7 properties from \$100,000 to \$150,000
- 32 properties from \$150,000 to \$200,000
- 53 properties from \$200,000 to \$250,000
- 110 properties from \$250,000 to \$300,000

The Housing Authority of Clackamas County is the principal county-wide agency charged with addressing the housing needs of low-/moderate- income residents of the county. It owns and manages 1,072 rental units and administers about 1,500 Housing and Urban Development Section 8 vouchers.

The demand for low-rent public housing is high. The current waiting time for available units ranges from 18 to 24 months. If such housing is not available in the general area of the Sunrise Project, then the use of housing of last resort would be considered. The residential relocations made under the Uniform Act, which result in a distribution of relocation benefits, are based on market values without discrimination on the basis of minority status or income.

The availability of affordable housing (multi-family and single-family dwellings) for low-income households is limited in the metropolitan area and in Clackamas County. There are a limited number of affordable housing units located in the general vicinity of the project, but these generally have high occupancy rates and may not in fact be available at a specific point in time in the future. This may result in some residents being moved out of the area as a result of the displacement of their residences by the project.

The main benefits of the project—increased mobility and transportation access—are expected to be fairly distributed, since in all of the block groups in the study area the population has access to vehicles for

transportation in similar proportions to the county and state. The highway would become available at the same time for all users. Most of the potential mitigation measures that are proposed by the project are beneficial to both environmental justice communities and to the large residential communities as a whole.

Element 3. To avoid, minimize, or mitigate disproportionately high and adverse human health, environmental, social, or economic effects on environmental justice communities.

To assess whether impacts from the project could be disproportionately high and adverse, the environmental justice analysis answers five questions, as follows:

- a) How does the project directly impact EJ areas of concern?*
- b) Would high and adverse effects be predominately borne by an EJ-sensitive population?*
- c) Would high and adverse effects suffered by an EJ-sensitive population be appreciably more severe or greater in magnitude than those suffered by the non-sensitive population?*
- d) Would adverse impacts occur to community resources that are particularly important to EJ-sensitive populations?*
- e) Are there project benefits that would accrue to EJ-sensitive populations?*

Alternative 1 would not have any direct impacts to environmental justice populations in the project land use study area. There are no high and adverse impacts associated with this alternative.

Questions ‘a’ through ‘e’ are addressed for **Alternatives 2** and **3** in the paragraphs below. Question ‘d’ is addressed for the **Preferred Alternative** below as well. Evaluation of the **Preferred Alternative** addressing questions ‘a’, ‘b’, ‘c’, and ‘e’ is contained in Table 12 at the end of this section.

Question a: How does the project directly impact environmental justice areas of concern?

Would it impact minority or very low-income or low-income persons in these areas?

The direct project impacts to individuals and households has been limited, due in large part to the efforts to locate the project build alternatives in such a manner that they avoid most of the populated areas. As a result, the direct impacts to environmental justice areas of concern are likewise limited. Direct impacts consist primarily of displacement, noise impacts, and changes to access, as described on the preceding pages.

Displacement Impacts

Displacements will occur in four of the nine block groups within the study area. Three of the four block groups can be considered areas of concern for EJ. The fourth block group has higher ratios of white alone people and a lower poverty ratio than the state or county. Two block groups have higher ratios of minorities (20 and 16 percent) than in the state (13 percent) and county (9 percent). One of those also has higher ratios of low-income persons (11 percent) than the state and county (7 percent).

The “Displacement” section, above, presents the analysis of the probability that displacement impacts will not be borne disproportionately by minority and low-income people. The analysis predicts that under **Alternatives 2 and 3** with any of the design options, up to 28 minority persons would likely be displaced out of a total of up to 203 persons displaced (14 percent). Up to 22 low-income persons would likely be displaced (11 percent). The ratios of minority and low-income displaced persons is not disproportionate when compared to the ratio of minority persons (13 percent) and low-income persons (12 percent) in the state.

The **Preferred Alternative** is addressed in Table 12.

Other than displacements, there are no other identified adverse impacts that would affect the EJ areas of concern. Noise, air quality and

habitat impacts have been addressed above in this section.

Question b: Would the project result in high and adverse effects that would be predominantly borne by a sensitive population?

As described in the response to Question ‘a’, above, adverse displacement impacts under **Alternatives 2 and 3** with the design options are expected to affect up to 28 minority persons in the study area, out of a potential 203, or 14 percent. Impacts will probably affect up to 22 low-income residents. Therefore, the displacement impact, while adverse, will not be predominantly borne by a sensitive population.

Notably, none of the known affordable housing in the land use study area (74 subsidized rental housing units) would be displaced by any alternative or design option.

While displacement is considered an adverse impact, the severity of displacement will be mitigated by the provision of comparable housing. No units that have been identified specifically for affordable housing or as subsidized units will be displaced.

The **Preferred Alternative** is addressed in Table 12.

Question c: Would the project result in high and adverse effects that would be suffered by an environmental justice population that would be appreciably more severe or greater in magnitude than the effect that would be suffered by the non-sensitive population?

The displacement impacts will be the same for all displaced units in the sense that the process for relocation and providing mitigation will be the same for all residents and will be equivalently mitigated in compliance with the Uniform Act.

However, it is important to note that relocating manufactured home parks could be challenging. Older, single-wide manufactured homes, which are valuable as affordable housing resources, are more difficult to relocate than newer

double-wide homes. Many units are so deteriorated that they could not be moved. Other manufactured home parks in the project area are also showing signs of deteriorating units and vacant spaces. Where existing housing is substandard, comparable replacement housing may require providing a better quality of accommodation.

Building the Sunrise Project could uncover hazardous materials and would create additional stormwater runoff and noise. Those potential impacts and their mitigation would be distributed throughout the project area and would not be disproportionately borne by environmental justice populations.

Therefore, the impacts from **Alternatives 2 and 3** would not be appreciably more severe or greater in magnitude than the effect that would be suffered by the non-sensitive population.

The **Preferred Alternative** is addressed in Table 12.

Question d: Would the project result in adverse impacts to community resources that are particularly important to environmental justice populations?

No community resources would be displaced. **Alternatives 2 and 3** would affect access to the Sunnyside Community Church. The impacts would not be high and adverse and might be a benefit in the long term; without the Sunrise Project, congestion would make leaving and entering the church property from OR 212/224 extremely difficult. There is no information to indicate that this church has a higher share of minority or low- or very low-income parishioners than other local churches.

The **Preferred Alternative** will have the same impacts on community resources as those discussed above for **Alternatives 2 and 3**. The **Preferred Alternative** would not impact any religious or fraternal organizations, service centers for low-income populations, or similar facilities that are necessarily associated with environmental justice populations.

Question e: Are there project benefits that would accrue to environmental justice populations?

The benefits of increased mobility with the Sunrise Project (for all modes) would generally accrue to all area residents, including environmental justice populations. Increased transit service could be expected to benefit the block groups in the project area with less access to private vehicles.

Noise walls in the I-205 area will decrease noise levels in some locations, creating a potential benefit to a low-income area (BG 2, CT 221.04). Therefore, there are benefits from the Sunrise Project that would accrue to an environmental justice population.

The **Preferred Alternative** is addressed in Table 12.

Indirect Effects

The indirect effects on environmental justice communities include changes to views, additional noise levels, increased stormwater runoff, and potential exposure to air emissions and hazardous materials. Table 12 highlights these impacts.

Mitigation Measures for the Preferred Alternative

No additional mitigation measures will occur beyond the assistance already committed to: under the federal Uniform Act for relocation assistance; walls for noise abatement; and measures required for relocation under Land Use and Business and Communities. Displaced EJ households will be provided relocation assistance if they are renters and purchase and relocation assistance if they are owners.

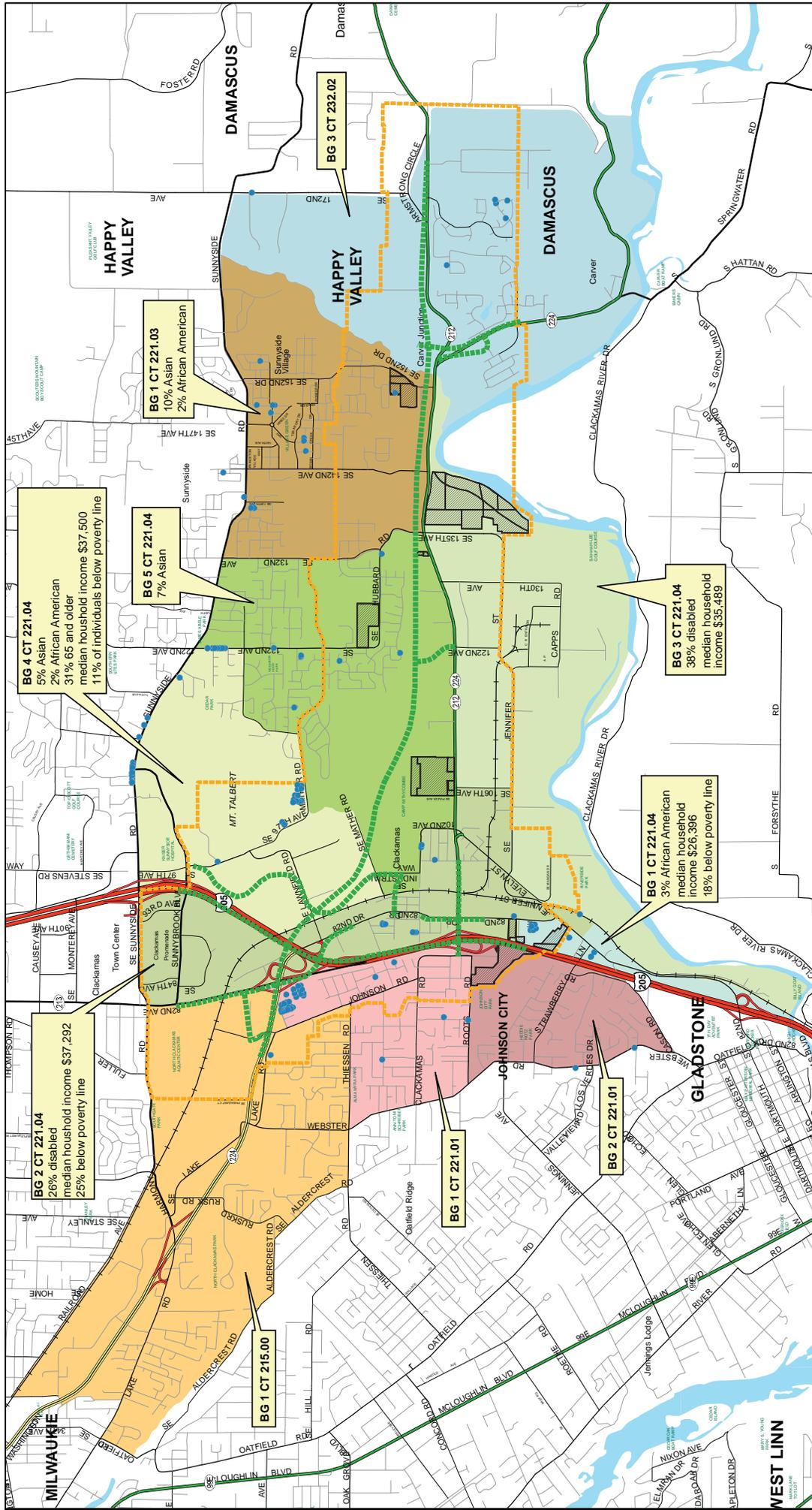


Figure 31
Environmental Justice Areas of Concern
 Sunrise Project, I-205 to Rock Creek Junction

State:	87% White alone	3% Asian	2% African American	17% 65 and older	median household income \$40,916	12% below poverty line
County:	91% White alone	2% Asian	1% African American	11% 65 and older	median household income \$52,080	7% below poverty line

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Table 12. Evaluation of Environmental Impacts of the Preferred Alternative on Environmental Justice

	Question a. How does the project directly impact EJ areas of concern? Would it impact minority or very low or low income populations in these areas?	Question b. Would the project result in high and adverse effects that would be predominately borne by an EJ sensitive population? Question c. Would the project result in high and adverse effects that would be suffered by an EJ sensitive population that would be appreciably more severe or greater in magnitude than the effect that would be suffered by the non-sensitive population?	Question e. Are there project benefits that would accrue to EJ sensitive populations?
Air Quality/ Health Effects	There are no identified air quality impacts from the Preferred Alternative that will cause a high adverse effect on the community at large or on EJ communities because the Preferred Alternative will not cause exceedance of the National Ambient Air Quality Standards (NAAQS).	The Preferred Alternative will not cause exceedance of the National Ambient Air Quality Standards (NAAQS). Therefore, the Preferred Alternative will not cause high and adverse air quality impacts that will be predominantly suffered by an EJ population.	No potential air quality benefits from the project were modeled. The forecasted reduction in congestion at specific intersections along OR 212/224 under the Preferred Alternative (compare Figures 20-25 and PA-9 and PA-10) will likely result in better air quality by 2030 than under Alternative 1. This benefit would be experienced by all people in the study area.
Noise	The Preferred Alternative will cause noise effects throughout the project area. With noise abatement walls, identified low-income populations within the I-205 Interchange area on the east side of I-205 are expected to experience noise increases of from 2 to 5 dBA over existing levels and by 2 to 3 dBA over the no build conditions. This increase will not be perceived by most individuals and is not a substantial increase under ODOT criteria. Therefore, the Preferred Alternative is not likely to impact any EJ area of concern.	In general EJ populations are not expected to bear high and adverse impacts at a greater magnitude than would be suffered by non-EJ populations. Increased noise from the Preferred Alternative in the I-205 Interchange area will not be perceived by most individuals and is not a substantial increase under ODOT criterion. However, because current noise levels in the Old Clackamas neighborhood already exceed ODOT criteria, the Preferred Alternative will include the construction of a new sound wall along much of the western edge of this neighborhood. In general, noise impacts in this area can be expected to be well mitigated. Therefore, the Preferred Alternative will not result in high and adverse effects that will be predominantly borne by EJ populations in this area, nor will the EJ population be expected to experience greater adverse noise effects than other populations in this area.	The proposed sound wall along the eastern side of I-205 will improve noise conditions in this area, potentially to the point where noise is lower than it is currently. This area includes the Old Clackamas neighborhood, which has been identified as an EJ area of concern and currently has noise levels from I-205 that exceed the ODOT NAC.
Visual	Adverse impacts to visual quality will worsen from west to east through the project area. Therefore the greatest impacts are expected where no identified EJ populations reside. Residents closest to OR 212/224 in the Three Mobile Home Parks Neighborhood may be affected more than others in this area because they will be below and across the street from the facility which will be 30 feet in the air rather than above it like the bluff residents. To the extent that the manufactured homes nearest that corner contain lower income households, EJ populations will experience negative visual impacts, but not high and adverse impacts because the views are already affected by adjacent industrial development the OR 212/224 facility, and any views toward the main natural amenity, Rock Creek, would be unaffected.	Because the greatest decreases in visual quality will be on the eastern end of the project area, and no EJ populations have been identified in this area, no EJ population will disproportionately bear visual impacts. The impacts at the west end are more moderate than at the east end, therefore, the Preferred Alternative is not likely to cause high and adverse effects that will be predominantly suffered by an EJ population.	The Preferred Alternative is not expected to result in any benefits with respect to visual quality.
Residential Displacement	A total of 53 residential units are expected to be removed for new right-of-way, which represents less than 1% of the total residences in the project area. In those units, 143 people on average reside, of which 12 would likely be minorities (9 percent) and 21 would likely be below the poverty line (15 percent). Therefore, EJ populations are expected to be affected by the residential displacement, but not disproportionately.	The Preferred Alternative will cause displacements, which without mitigation could be considered a high and adverse impact. Mitigation will be provided equally under each alternative to compensate displaced property owners and residents in accordance with the Uniform Act. After mitigation, and considering the overall benefits of the project, the Preferred Alternative will not cause high and adverse effects that will be predominantly suffered by an EJ population.	No benefits from relocation are expected, except where existing housing is substandard then comparable replacement housing may require providing better quality of accommodation.
Economics/ Businesses	A total of 80 businesses in the project area, representing approximately 9% of the total, will be displaced by the Preferred Alternative . These displacements will affect workers of all income levels and occupations, both the general population and EJ populations.	The Preferred Alternative will displace a large number of individual businesses, affecting the businesses, the employees and the business environment. There are no known EJ businesses that might cater to EJ populations. There is no information available to determine if potentially displaced businesses employ a large number of low income or minority persons.	The Preferred Alternative will reduce congestion and improve access to the regional transportation system so that existing business and business districts would be supported, and employment opportunities will increase. Development of the limited supply of vacant employment land within the land use study area is likely to be more employment intensive with the more supportive transportation system, and existing employment areas are expected to intensify over time due to the cumulative effects of a more efficient and convenient transportation system. Therefore, there will be benefits from the project that could accrue to low-income populations such as increased job opportunities and better access to jobs via the new highway whether on public transit or in private vehicles.

Note: Question d. is addressed in the text before Table 12.

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