

Environmental Review Record

City of Ontario Sewer Improvement Project

Subject: Sewer Line Replacement Project, Ontario, Malheur County, Oregon

Ontario Oregon, Malheur County

Categorical Exclusion — NEPA Environmental Documentation

The following agencies/agents/databases have been contacted regarding this project.

<u>Agency/Contact/ Data Source</u>	<u>Address</u>	<u>Name</u>	<u>Contact Date</u>	<u>Response</u>
Environmental Justice				
U.S. Environmental Protection Agency- EJ Environmental Screening and Mapping Tool	https://ejscreen.epa.gov/mapper/	NA	April 8, 2020	NA



City Hall
444 SW 4th Street
Ontario, Oregon 97914
Public Works (541) 881-3201 or 889-8572

April 29, 2020

Subject: Notice of Environmental Justice Compliance -impact to minority or low/moderate income persons for the Sewer Line Replacement Project, Ontario, Malheur County, Oregon

Regarding the Environmental Justice compliance component of the Environmental Review, the City has determined that since the project is for rehabilitation of existing faulty sanitary sewer infrastructure limited to homeowners of low and moderate income; there will be no disproportionate impact to minority or low/moderate income persons. The project will reduce arsenic in ground and surface water benefiting all residents. The City of Ontario (City) identified a need to replace existing sanitary sewer lines in downtown Ontario, Malheur County, Oregon in part to insure the environmental and human health are protected fairly for all people regardless of race, color, national origin, or income.

Thank you,

A handwritten signature in blue ink that reads "Elizabeth B. Roberts".

Elizabeth B. Roberts, PE
City Engineer for City of Ontario, Oregon

Environmental Justice (CEST and EA)

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	
References		
https://www.hudexchange.info/environmental-review/environmental-justice		

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes → *Continue to Question 2.*

No → *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

Explain:

→ *Continue to Question 3. Provide any supporting documentation.*

No

Explain:

The single environmental compliance/mitigation requirement identified in the Environmental review was associated with historic resources. The effect is mitigated through SHPO consultation, TDAT tribal input request, providing an Inadvertent Discovery Plan, and including an onsite cultural monitor during ground disturbing activity (manhole excavation). No disproportionate effect to the environment or human health will result. All are protected fairly regardless of race, color, national origin, or income. The proposed project will repair faulty sanitary sewer lines and improving environmental conditions and service to an area of Ontario, Oregon that has been identified by US EPA as having demographic index that is slightly higher (51%) than the state average (29%) and a minority population slightly higher (45%) than the state average (23%) (see EJ ScreenReport (USEPA)). This project will improve service and environmental conditions to this population. City of Ontario. Oregon Engineer has provided documentation that the project will have no disproportionate effect on low income or minority communities (see attached letter).

3. All adverse impacts should be mitigated. Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Mitigation as follows will be implemented:

The single environmental compliance/mitigation requirement identified in the Environmental review was associated with historic resources. The effect is mitigated through SHPO consultation, tribal contact for input, providing an Inadvertent Discovery Plan, and including an onsite cultural monitor during ground disturbing activity (manhole excavation). The project is contingent on grant approval decision on July 1, 2020. No disproportionate effect to the environment or human health will result. All are protected fairly regardless of race, color, national origin, or income. The proposed project will repair faulty sanitary sewer lines and improving environmental conditions and service to an area of Ontario, Oregon that has been identified by US EPA as having demographic index that is slightly higher (51%) than the state average (29%) and a minority population slightly higher (45%) than the state average (23%) (see EJ ScreenReport (USEPA)). This project will improve service and environmental conditions to this population.

→ Continue to Question 4.

No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to Question 4.

4. Describe how the affected low-income or minority community was engaged or meaningfully involved in the decision on what mitigation actions, if any, will be taken.

Oregon SHPO representatives and TDAT identified tribal contacts were consulted regarding the single environmental category that required mitigation. Mitigation is in place so no negative historic impacts will occur. See historic ERR and documentation for complete information on communication and mitigation requirements pertaining to historic.

→ Continue to the Worksheet Summary and provide any supporting documentation.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

No non mitigated adverse environmental impact has been identified from the proposed project (see Cat Ex coversheet; 3F). The only compliance requirement is associated with historic and this has been mitigation through consultation with Oregon SHPO, TDAT identified tribal contacts, IDP, and onsite monitor during ground disturbing activity. The proposed project is to repair the existing sanitary sewer (up to 11,000 linear feet) where inspections have indicated the sewer is compromised and leaking. No change to sewer service or people serviced by the existing sewer is proposed. This repair project does not disproportionately or negatively affect a low-income or minority populations. The USEPA Environmental Screening and Mapping Tool (<https://ejscreen.epa.gov/mapper/>) was used to collect Environmental Justice information for the project area. This summary report is attached. The City of Ontario, Oregon's engineer has provided a statement indicating that the city has determined that no adverse environmental injustice will result from this proposed project (see attached letter).

Are formal compliance steps or mitigation required?

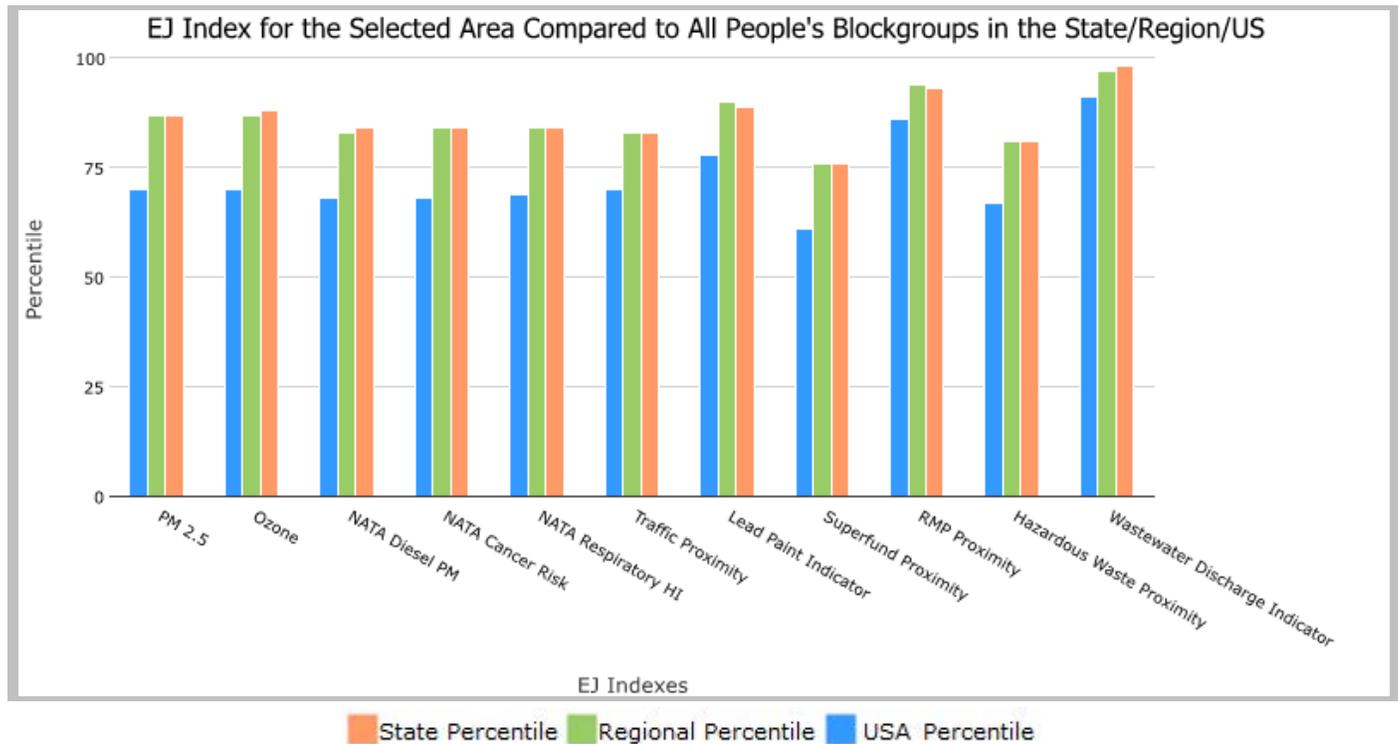
- Yes
 No

1 miles Ring around the Corridor, OREGON, EPA Region 10

Approximate Population: 8,011

Input Area (sq. miles): 4.53

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	87	87	70
EJ Index for Ozone	88	87	70
EJ Index for NATA* Diesel PM	84	83	68
EJ Index for NATA* Air Toxics Cancer Risk	84	84	68
EJ Index for NATA* Respiratory Hazard Index	84	84	69
EJ Index for Traffic Proximity and Volume	83	83	70
EJ Index for Lead Paint Indicator	89	90	78
EJ Index for Superfund Proximity	76	76	61
EJ Index for RMP Proximity	93	94	86
EJ Index for Hazardous Waste Proximity	81	81	67
EJ Index for Wastewater Discharge Indicator	98	97	91

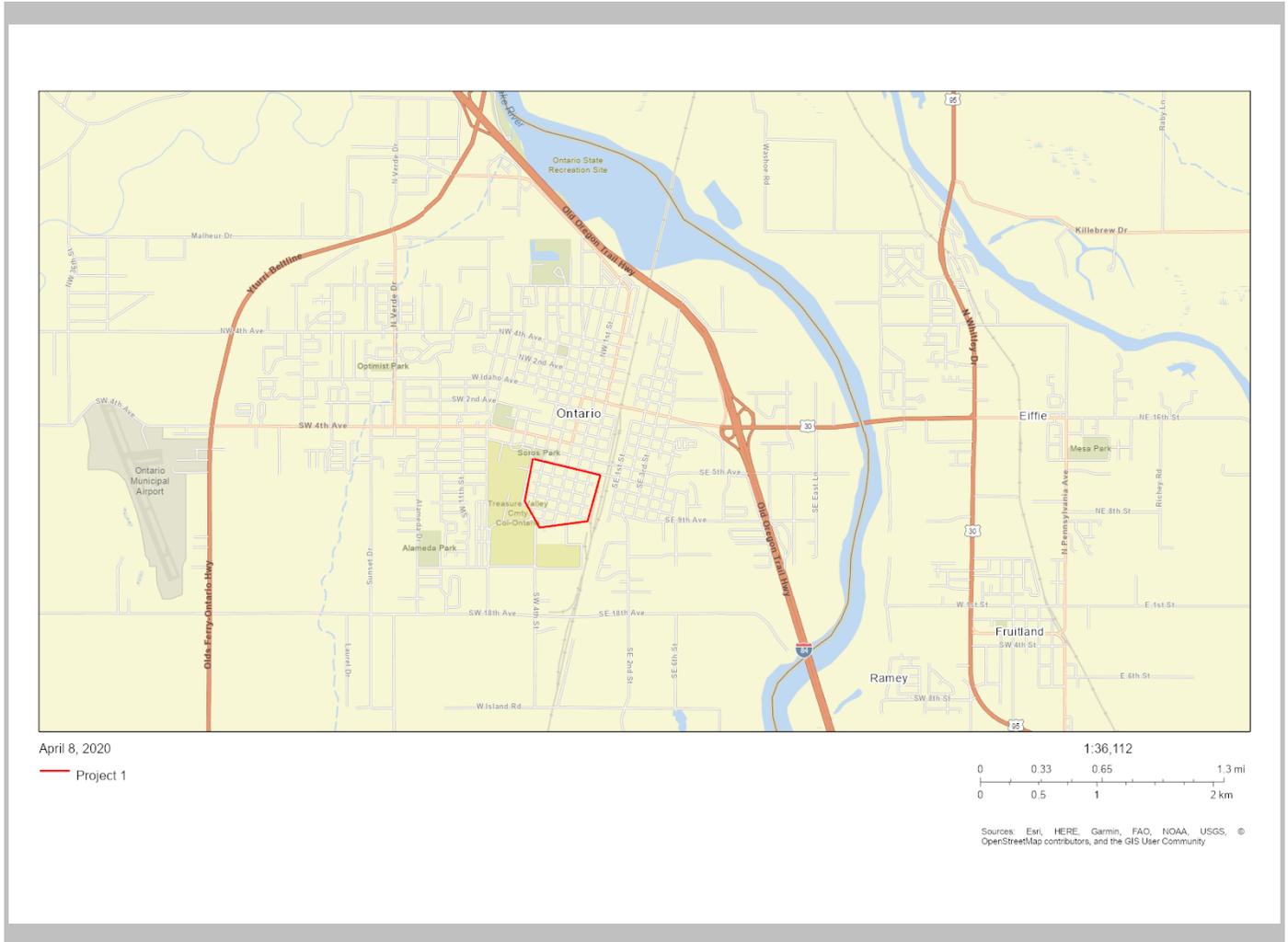


This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

1 miles Ring around the Corridor, OREGON, EPA Region 10

Approximate Population: 8,011

Input Area (sq. miles): 4.53



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0

EJSCREEN Report (Version 2019)



1 miles Ring around the Corridor, OREGON, EPA Region 10

Approximate Population: 8,011

Input Area (sq. miles): 4.53

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Environmental Indicators							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$)	7.77	6.63	98	6.6	86	8.3	33
Ozone (ppb)	43.4	34.2	99	35.1	92	43	47
NATA* Diesel PM ($\mu\text{g}/\text{m}^3$)	0.291	0.393	43	0.479	<50th	0.479	<50th
NATA* Cancer Risk (lifetime risk per million)	25	31	20	31	<50th	32	<50th
NATA* Respiratory Hazard Index	0.38	0.48	21	0.46	<50th	0.44	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	220	480	54	500	54	750	50
Lead Paint Indicator (% Pre-1960 Housing)	0.33	0.25	71	0.23	74	0.28	64
Superfund Proximity (site count/km distance)	0.0071	0.083	5	0.13	3	0.13	2
RMP Proximity (facility count/km distance)	2.3	0.78	90	0.65	93	0.74	92
Hazardous Waste Proximity (facility count/km distance)	0.23	1.4	36	1.5	40	4	38
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0.021	0.0056	95	31	91	14	83
Demographic Indicators							
Demographic Index	51%	29%	91	29%	89	36%	74
Minority Population	45%	23%	88	27%	82	39%	63
Low Income Population	57%	34%	89	31%	90	33%	85
Linguistically Isolated Population	4%	3%	74	3%	71	4%	66
Population With Less Than High School Education	22%	10%	90	9%	90	13%	81
Population Under 5 years of age	9%	6%	81	6%	76	6%	76
Population over 64 years of age	15%	16%	52	15%	59	15%	58

* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: www.epa.gov/environmentaljustice

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

Environmental Justice

Checklist for HUD or Responsible Entity

General requirements	Legislation	Regulation
Address disproportionately high and adverse human health or environmental effects on minority and low-income populations.	Executive Order 12898, February 11, 2004	24 CFR 50.4(l) and 24 CFR 58.5(j).

1. Is there an adverse environmental impact caused by the proposed action, or is the proposed action subject to an adverse environmental impact?

This question is designed to determine how the Environmental Justice analysis is reflected in the environmental review as a whole. Your consideration of the other environmental laws and authorities is your supporting documentation for this question. If any other environmental law or authority required mitigation (i.e., 8-step process for locating in a flood plain, waiver of noise requirements), then there is an adverse environmental impact.

- No: STOP here. The project does not pose an Environmental Justice concern.
 Yes: PROCEED to #2

2. Will the project have a disproportionate impact on low-income or minority populations?

The following steps will help you make this determination:

- 1) Describe the project.
- 2) Consider historic uses of the site, past land uses and patterns (such as lending discrimination and exclusionary zoning).
- 3) Determine the demographic profile of the people using the project and/or living and working in the vicinity of the project. EPA's environmental justice geographic assessment tool provides helpful demographic information: <http://epamap14.epa.gov/ejmap/entry.html>
- 4) Describe the adverse environmental impact you identified in your environmental review. Identify adjacent land uses, paying particular attention to toxic sites, dumps, incinerators, hazardous materials (e.g. asbestos), and other issues with the potential to have adverse human health effects. (This may already have been considered in your review of toxic and hazardous substances.)
- 5) Consider how the adverse environmental impact and any potentially harmful adjacent land uses would impact the people using and/or surrounding the project.
- 6) Consider whether market-rate development exists in the area. If not, would this project succeed as a market-rate project at the proposed site?

- No: STOP here. Maintain documentation concerning your determination of no disproportionate impact.
 Yes: Consult with HUD environmental staff to develop a mitigation plan. An Environmental Justice mitigation plan must include public outreach, participation and community involvement. The project can not move forward until the EJ issue is mitigated to the satisfaction of HUD or the Responsible Entity and the impacted community.

DISCLAIMER: This document is intended as a tool to help Region X HUD grantees and HUD staff complete environmental requirements. This document is subject to change. This is not a policy statement. Legislation and Regulations take precedence over any information found in this document.