TSK 300-a: EJ Analysis for Fish Passage Projects

**Effective:** September 2013  
**Start task:** Project description and limits have been set.  
**End task:** EJ Memo complete

**Note:** This procedure describes the process for analyzing and documenting potential EJ impacts for the fish passage barrier correction projects identified as a result of the March 29, 2013 United State Courts issues Permanent Injunction C70-9213. This procedure complies with approved WSDOT guidance and procedures ([EM 458](#) and [EJ web page](#)).

**Basic assumptions about the fish passage barrier correction projects:**
- The project is classified as a CE/PCE/DCE and has no significant environmental impacts.
- The project will be constructed within existing right of way with no acquisitions or relocations.
- The project may require night work and will comply with WSDOT standard practice of obtaining a noise variance from the Local Agency to conduct night work.
- Pedestrian and vehicle access will be maintained during construction with some form of traffic control (such as a detour, bypass bridge, or alternating one-lane two-way traffic control) that will be determined during project design.

If your project meets these criteria, the only possible EJ impacts would be those caused by nighttime noise or a detour. Night noise can be very disruptive and has potential to adversely affect EJ populations living near the project. A detour could impact an EJ community by either routing more traffic through their neighborhood, separating an EJ population from services provided for that community (i.e. dividing tribal housing from the tribal senior center), or by creating an exceptionally long route with the potential to have a disproportionate impact on low-income populations. Therefore, the fish passage barrier correction projects are not exempt from EJ analysis, but the level of analysis required is minimal.

The analysis requires us to collect the demographic data, evaluate potential impacts, make a determination, and document findings. Adequate documentation includes completing EJ Tab of the ECS and attaching a copy of the demographic data, the EJ Decision Matrix and a Memo. The analysis cannot be finalized until the Design Office has decided if night work will be required and a detour will be used.
During Scoping you can:
1. Collect demographic and school data.
2. Determine LEP requirements.
3. Evaluate the site for potential issues that could lead to a finding of ‘disproportionate high and adverse effect’ on an EJ population. For example a project where road closure would divide tribal housing from tribal services. The delay caused by the closure and detour affects all populations equally, but only tribal members are denied access to services.
4. Create drafts of the EJ Decision Matrix and Memo.

During Design you can:
1. Collect demographic and school data.
2. Determine LEP requirements.
3. Evaluate the potential project impacts and determine if there are disproportionate high and adverse effects to an EJ population.
4. Complete the EJ Decision Matrix.
5. Write the EJ Memo.
6. Complete ECS EJ Tab.
7. Attach electronic copies of the demographic documentation, EJ Decision Matrix and EJ Memo to the ECS form, or put hard copies in the project file.

You will need the following Information from the Design Office to complete this analysis:
1. Project location (SR and MP)
2. Project description including the type of traffic control and night work required.
3. A vicinity map showing the project limits.
4. If a detour will be used, you will need a map showing the location of the route and length of time the detour will be in effect.
5. If night work will be required, you will need a copy of the noise variance, or a description of the type of measures that will be used to minimize noise, the operating hours and the hours of operations and the number of nights work will occur.