

Appendix G – Environmental Justice Memorandum



Revised April 12, 2024

RE: Environmental Justice Memorandum
City of Douglas International Port of Entry Connector Road Study
Federal Project No. 999-A(561)T
ADOT Project No. F0534 01L
Tierra Project No. 22EC00-348.01

Scope and Location of Project

The Arizona Department of Transportation (ADOT) is evaluating alternatives for a new all-weather connector road from the future General Services Administration Douglas International Port of Entry (IPOE) to State Route (SR) 80 (Figure 1). The 200-foot-wide four-lane connector road would be sited to safely accommodate commercial truck traffic exclusively and to provide connectivity from the IPOE to the Arizona State Highway System. The IPOE would be about 4.5 miles west of the existing Castro Land Port of Entry (LPOE), which provides international noncommercial and commercial access, on an 80-acre site south of James Ranch Road and just north of the international border. The IPOE would process only commercial traffic for the binational region. Once construction of the IPOE has been completed, all commercial operations would move from the LPOE to the IPOE. ADOT has identified three alternative routes.

Project Location

The project is about 4.5 miles west of the city of Douglas in Cochise County, Arizona, generally including and south of SR 80 to the international border. Land ownership in the project area includes the Bureau of Land Management, the International Boundary and Water Commission, ADOT right-of-way, and private parcels.

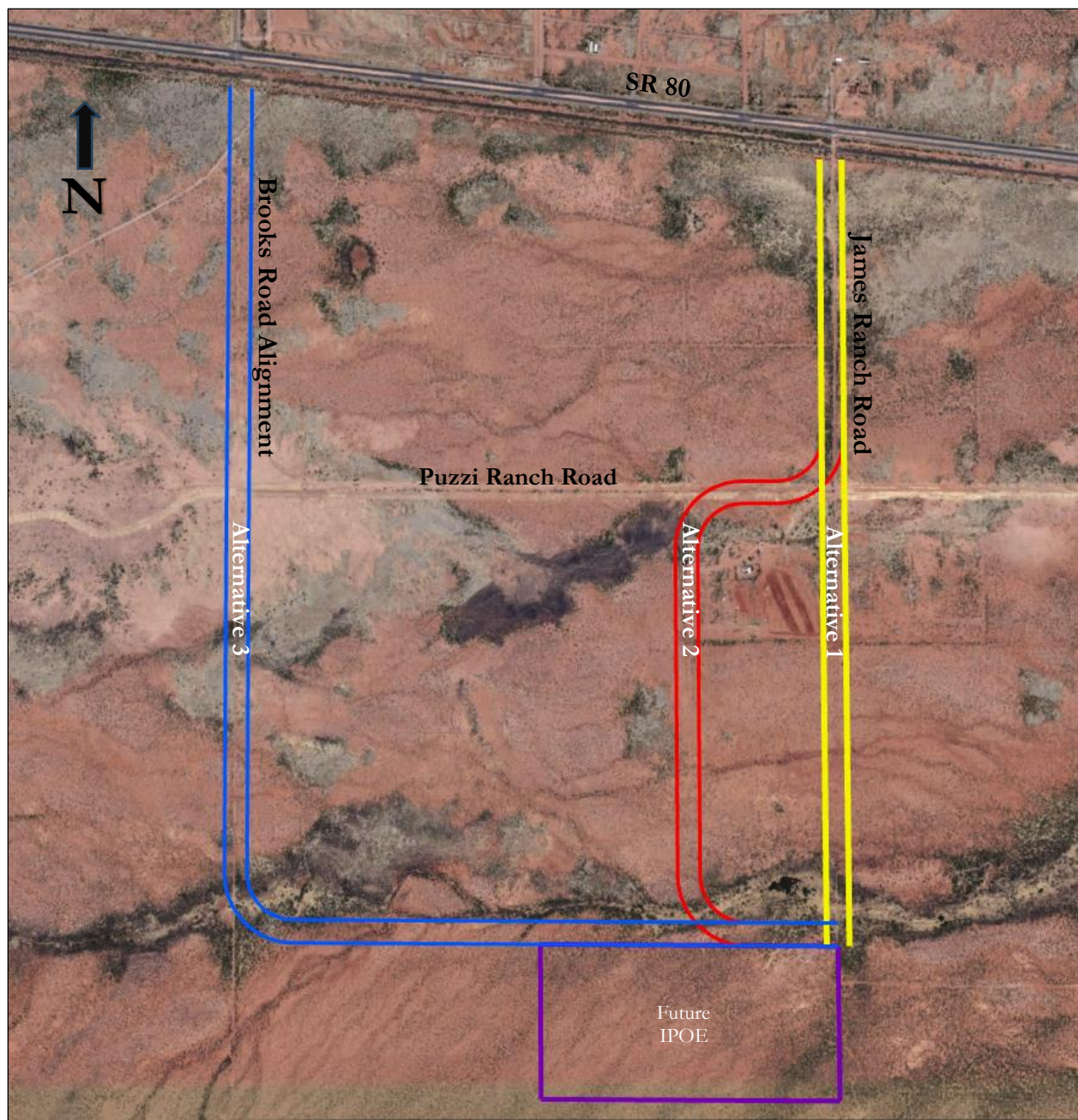


Figure 1. Project location.

ADOT requirements for the alternative selection process include methods and technologies to ensure a comprehensive investigation of proposed alignments. The requirements state that the process should analyze all reasonable alternatives, support the iterative nature of the National Environmental Policy Act (NEPA) process, provide a summary of the investigation and selection process, and determine the optimal alignment alternatives subject to the project constraints, including environmental, engineering, social, and economic evaluations. The proposed alternatives are consistent with the stated requirements. The proposed alternative alignments are identified in Figure 1.

Alternative 1 (Preferred)

Alternative 1 consists of constructing a new at-grade roadway along James Ranch Road. This alignment would provide a straight connection from SR 80 to the IPOE. A traffic study is being conducted to determine the appropriate traffic control at the intersection of SR 80 and James Ranch Road, both for the proposed opening of the IPOE and future 2050 conditions. This alignment would cross three washes. A drainage study is being conducted to determine the appropriate culverts or drainage structures to accommodate the washes at the roadway crossings. An entrance/exit into the IPOE would be provided near the northeastern corner of its 80-acre parcel.

Alternative 2

Alternative 2 consists of constructing a new at-grade roadway from SR 80 along James Ranch Road for approximately 0.5 mile and then would turn west on Puzzi Ranch Road. Approximately 0.25 mile from James Ranch Road, the roadway will turn south and follow the 0.25-mile alignment to the IPOE. Similar to the first alternative, it is anticipated that this roadway alignment would cross three existing washes and an entrance/exit into the IPOE would be provided near the northeastern corner of its 80-acre parcel. Proposed drainage structures and traffic control will be further evaluated for this alternative and the results will be summarized in the Design Concept Report and used in the preliminary design plans.

Alternative 3

Alternative 3 consists of constructing a new at-grade roadway along the Brooks Road alignment and over three washes from the IPOE to SR 80. Signals would be provided at the intersection with SR 80. An entrance/exit into the IPOE would be provided near the northeastern corner of its 80-acre parcel.

Regulatory Framework

Executive Order 12898 on Environmental Justice (EJ) requires “the fair treatment and meaningful involvement of all people, particularly minority and low-income populations, in the environmental decision-making process.” All ADOT projects that include Federal funding follow the NEPA process, which aids in environmental decision-making.

U.S. Department of Transportation Order 5610.2(a) and Federal Highway Administration (FHWA) Order 6640.23A require compliance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, including the full and fair participation by all potentially affected communities in the transportation decision-making process.

Identification of Protected Populations

The project limits are within an unincorporated rural, mostly undeveloped, area in southeastern Arizona. There are no commercial businesses within the project limits; there are three residences within or immediately adjacent to the project limits.

Data used in the Environmental Assessment (EA) for the EJ analyses were taken from the 2021 American Community Survey (ACS) 5-Year Estimate provided by the U.S. Census Bureau. The ACS uses a random sample design to collect data representative of the overall population in an area. Data used for the EA are from the most recent five-year running average. Block Group (BG) data and data from Cochise County were reviewed. A 2-mile buffer of the project area occurs entirely within the BG of the project area (Figure 2).

In the context of EJ, an adverse effect is a significant individual or cumulative human health or environmental effect (e.g., the displacement of a household structure or business, disruptions to transit access, excessive dust in areas where people are likely to work or recreate). A disproportionately high and adverse effect on minority and low-income populations is an adverse effect that:

- is predominately borne by a minority population and/or a low-income population or
- would be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that would be suffered by the nonminority population and/or non-low-income population.

Total Minority (Racial Minorities, Hispanic, and Latino Concentrations)

The U.S. Department of Transportation and the FHWA define five minority groups, as follows:

- Black (a person having origins in any of the black racial groups of Africa)
- Hispanic or Latino (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race)
- Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent)
- American Indian and Alaskan Native (a person having origins in any of the original people of North America, South America, including Central America, and who maintains cultural identification through tribal affiliation or community recognition)
- Native Hawaiian or Other Pacific Islander (people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands)

Selected population areas (Census Tracts [CTs]) showing racial minorities, Hispanic or Latino origin, or total minority populations are considered “protected populations” for the purposes of this EJ evaluation.

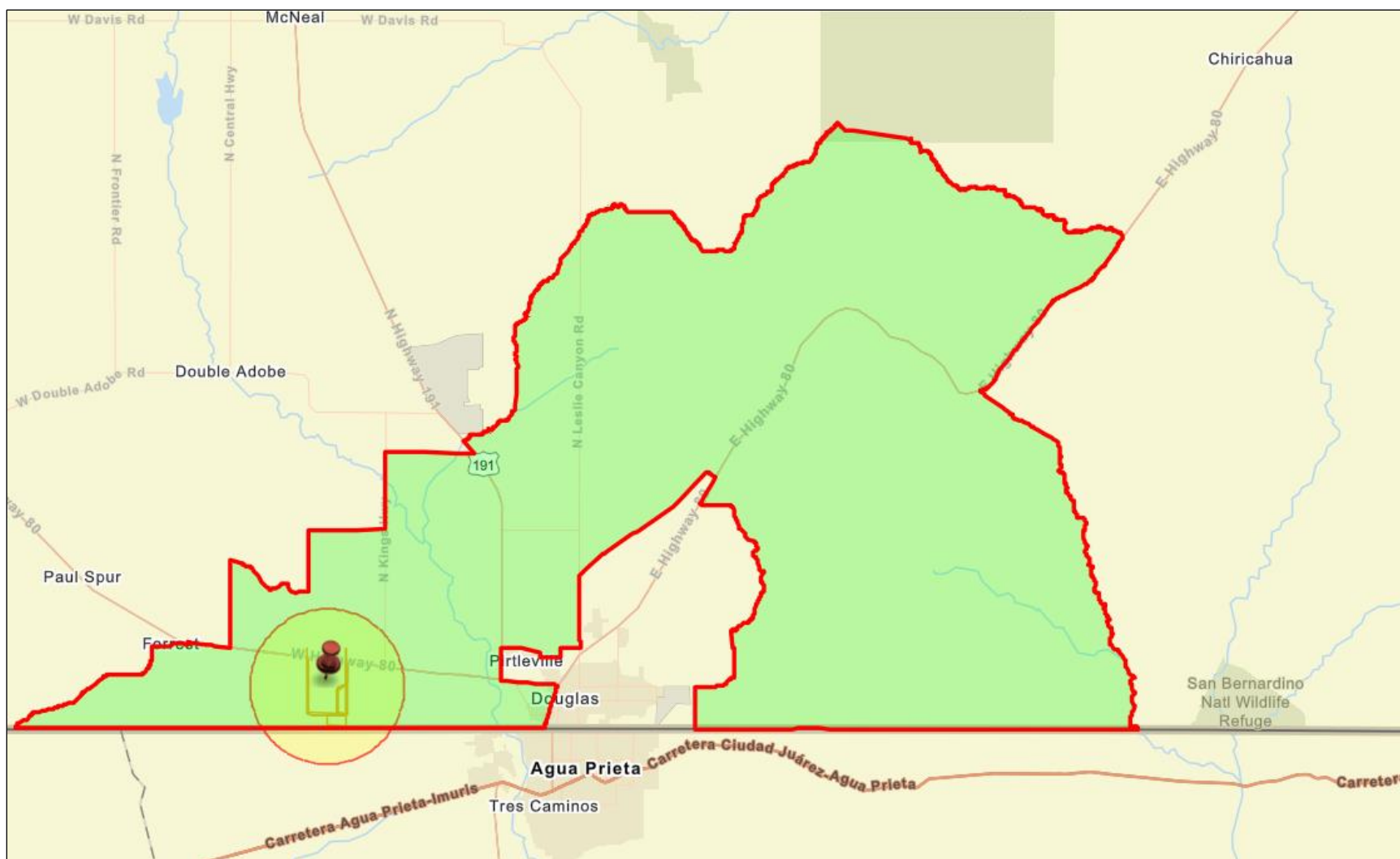


Figure 2. Census Tract 6 Block Group 1 (green area), Cochise County, Arizona, depicting project location with a 2-mile buffer (circle area).

Data from the 2021 ACS 5-Year Estimate indicate that racial minorities reside in CT6 BG1 (Table 1). Within CT6 BG1, data indicate that the percentage of the population identifying as Hispanic or Latino is 68% (Table 2). The population within CT6 and BG1, and presumably the project area, is considered a protected population on the basis of its Hispanic or Latino composition.

Table 1. 2021 American Community Survey 5-Year Estimate: Racial and Ethnic Demographics

Population	Cochise County		CT6 BG1, Cochise County, Arizona	
	No.	%	No.	%
White alone	67,460	54	405	20
Black or African American alone	4,130	3	96	5
American Indian and Alaska Native alone	895	1	22	1
Asian American	2,306	2	126	6
Native Hawaiian and Other Pacific Islander alone	415	0	0	0
Some other race alone	284	0	12	1
Two or more races	4,927	11	0	0
Hispanic or Latino	44,675	36	1,408	68
Total population	125,092		2,069	

Table 2. Total Racial Minority and Total Hispanic or Latino Origin

Total Population		Total Racial Minority ^a		Total Hispanic or Latino Origin ^b		Total Minority (Racial and Hispanic or Latino Origin) ^c	
		No.	%	No.	%	No.	%
CT6 BG1	2,069	256	12%	1,408	68	1664	80
Cochise County	125,092	12,957	10%	44,675	36	57632	46

^a Percentage of residents who identify themselves as any race other than White: Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and other Pacific Islander, some other race, and two or more races.

^b In addition to race, residents were asked to categorize themselves by one of two ethnicities: Hispanic or Latino and Not Hispanic or Latino.

^c Total minority is composed of all people who consider themselves Non-White racially plus those who consider themselves White racially and Hispanic or Latino. This value is not a sum of racial minority and Hispanic or Latino origin totals on this table.

Low Income

A low-income population is defined as a population whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines for a family of four. For 2023, the guideline is \$30,500. Table 3 depicts the median household income for CT6 BG1 and Cochise County. Median household incomes for each are greater than the HHS defined low-income guidelines for 2023.

**Table 3. 2021 American Community Survey 5-Year Estimate:
Median Household Income in the Past 12 Months**

Area	Median Household Income in the Past 12 Months
CT6 BG1	\$34,545
Cochise County	\$55,077

Impact Analysis

The following section assesses whether the proposed alignments of the IPOE Connector Road would have disproportionately high and adverse human health and environmental effects on the identified protected minority and low-income populations. Disproportionately high and adverse refers to an adverse effect that would be predominately borne by a minority population and/or a low-income population or would be suffered by a minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that would be suffered by the nonminority population and/or non-low-income population. For transportation projects, negative impacts on resident communities must be balanced with the overall benefit of a transportation improvement.

The lands in the immediate vicinity of the proposed road alignments are primarily undeveloped. Two residences are in the vicinity of Alternative 1 and Alternative 2 that would require acquisition of right-of-way. The resident east of Alternative 1 would be displaced to accommodate the construction and operation of that alignment. No businesses are located in these areas.

Temporary Construction-Related Impacts

Area residents and motorists using SR 80 could be temporarily affected by construction-related activities. The anticipated impacts include an increase in noise, generation of dust from the operation of construction equipment, and traffic congestion and delays. Access to residential properties would remain open throughout construction. SR 80 would remain open throughout construction, and no traffic detours would be required. Traffic control measures may occur if a new traffic interchange configuration or location is selected. The construction noise and dust and the construction-related traffic congestion and delays would be temporary and would cease following the completion of construction. Air quality during construction may temporarily be impacted by fugitive dust clouds. Dust would be controlled through the extent possible through the implementation of Best Management Practices. Impacts to air quality would be temporary, localized, and would cease following the completion of construction. For these reasons, temporary construction-related impacts on protected populations would not be disproportionately high and adverse.

Long-Term Changes in Access

The construction of a new connector road from SR 80 to the IPOE would result in long-term changes in access and circulation. Through traffic from SR 80 to the IPOE would result in long-term negative impacts to adjacent residents if Alternative 1 or Alternative 2 were selected. The selection of either of these alternatives would result in a 200-foot-wide four-lane roadway directly adjacent to the properties and the displacement of one residence under the Alternative 1 the Preferred Alternative. The selection of Alternative 3 would not negatively impact any residences as there are not any adjacent to Alternative 3. Future commercial development is likely to occur on lands adjacent to any of the alternatives. This

future development would also increase local traffic and congestion for residents along Alternative 1 and Alternative 2. Each Alternative would require some degree of access change to SR 80. These changes are not anticipated to negatively impact area residents north of SR 80.

Impacts to Residences

There are only two residences in the immediate vicinity of the proposed alternatives; they are adjacent to Alternative 1 and Alternative 2. There are no community elements (i.e., parks, schools, or businesses) in the vicinity. The selection of Alternative 1 would have a long-term negative impact on the two residences adjacent to the connector road. Alternative 1 would require the displacement of one of the two residences. The selection of Alternative 1 would have a long-term impact on the remaining residence in the immediately vicinity of the connector road as access to the POE would cause an increase in daily traffic, and associated noise, past the property.

The selection of Alternative 2 would not alter the existing cohesion or otherwise disrupt the existing two residences. There are no community elements that would be impacted by the selection of any alternative. Alternative 2 and Alternative 3 would not have an impact on neighborhood continuity or community cohesion.

Employment

The development of the connector road to the IPOE would likely result in future commercial development adjacent to the selected roadway. New commercial developments would result in a long-term positive impact on employment opportunities.

Public Involvement

Public information meetings were conducted on April 27 and August 3, 2023 at the Douglas Visitors Center to identify specific concerns of local residents and business owners about the proposed connector road project, including the alternatives that were being evaluated. Information meeting notices were published on three consecutive weeks prior to each meeting in the Douglas Herald Newspaper. A public hearing is scheduled for late September 2024.

Mitigation

Mitigation measures are developed through technical analysis and through feedback received in the public and agency involvement process. The one relocation required under the development of Alternative 1-Preferred Alternative would adhere to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Mitigation measures identified during the technical analysis of resources will be fully detailed in the corresponding Environmental Assessment.

Conclusion

Alternative 1 is the Preferred Alternative. The sole residence that would be displaced as a result of selecting Alternative 1 is not a member of a minority or low income population; therefore, no minority or low-income population would be adversely impacted by the proposed project. The development of the IPOE and the Proposed Action would be beneficial by opening up mostly undeveloped lands to commercial developments; and by alleviating congestion at the existing POE by redirecting commercial vehicle away from downtown Douglas. Therefore, in accordance with the provisions of E.O. 12898, DOT Order 5610.2(c), and FHWA Order 6640.23, no further EJ analysis is required.

Limited English Proficiency

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), requires recipients of Federal financial assistance to provide language services (oral or written) to ensure meaningful access for any language, upon request. Identification of LEP persons is required for the purpose of devising appropriate strategies for meaningful public involvement and ensuring access pursuant to this executive order. LEP persons are individuals over five years of age who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Title VI and Executive Order 13166 prohibit recipients of Federal financial assistance from discrimination based on national origin. In accordance with Title VI and Executive Order 13166, ADOT developed an LEP Language Access Plan. Table 4 identifies the languages spoken at home for the population 5 years old and older within CT6 and Cochise County. Data was not available to the BG level. Of the those who speak Spanish, 23% of those residing in CT6 indicated that they speak English less than “very well” and 29% of Cochise County identified the same.

Table 4. 2021 American Community Survey 5-Year Estimate: Language Spoken at Home for the Population 5 Years and Over

Language	Cochise County, Arizona		CT6, Cochise County, Arizona	
	No.	%	No.	%
Total	118,133		3,287	
Speak only English	85,834	73	768	23
Spanish	27,881	24	2,354	72
French, Haitian, or Cajun	450	0	1	0
German or other West Germanic languages	1,136	1	3	0
Russian, Polish, or other Slavic languages	200	0	13	0
Other Indo-European languages	430	0	12	0
Korean	611	152	0	0
Chinese (including Mandarin, Cantonese)	119	0	0	0
Vietnamese	324	0	126	4
Tagalog (including Filipino)	329	0	0	0
Other Asian and Pacific Island languages	363	0	0	0
Arabic	20	0	0	0
Other and unspecified languages	436	0	10	0