



Transportation Building
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TTY: 1-800-833-6388
www.wsdot.wa.gov

February 16, 2024

Kim Lund, Mayor
City of Bellingham
210 Lottie Street
Bellingham, WA 98225

Dear Ms. Lund:

WSDOT approved your 2023 Annual Title VI Compliance documents to meet the requirements under Title 23, Code of Federal Regulations (CFR), Part 200 and 49 CFR 21, as well as the provisions of Executive Order 12898 on Environmental Justice and Executive Order 13166 on Limited English Proficiency. As public records, your Title VI Accomplishments and Goals report and Nondiscrimination Assurances (NDA) **must** be posted on your website. Please update the NDA if there is a change in the Executive Official who signs it and email it to WSDOT within 30 days.

WSDOT appreciates your efforts in developing the required documents for your Title VI Program. **Your next annual report is due February 1, 2025, covering the reporting period of January 1, 2024 to December 31, 2024.** Transmittal email contains additional information.

WSDOT is committed to providing any assistance you may need with your Title VI Program implementation process. For assistance, please contact me at 360-522-2794 or at KarolcD@wsdot.wa.gov.

Sincerely,

A handwritten signature in black ink that reads 'Doris Karolczyk'.

Doris Karolczyk
External Civil Rights Specialist
Office of Equity and Civil Rights
Formerly Office of Equal Opportunity
Washington State Department of Transportation

cc: Mehrdad Moini



TITLE VI ACCOMPLISHMENTS & GOALS REPORT

This outline is for LPA and other governmental entities to report Title VI activities that occurred over the past year and report Title VI goals for the upcoming year. Reports must be returned on or before due date to meet eligibility requirements for federal funding. Send to TitleVI@WSDOT.wa.gov

DUE DATES: Refer to Section 28.3 for scheduled reporting period and due date

Contact Information

Name and title of administrator (signature on Standard Assurances): **Kim Lund, Mayor (effective January 1, 2024)**

Mailing Address: 210 Lottie Street

City: Bellingham WA Zip Code: 98225 County: Whatcom

Phone #: (360) 778-8100 email address: kjlund@cob.org

Name and title of head of transportation-related services: **Eric Johnston, Public Works Director**

Mailing Address: 2221 Pacific Street

City: Bellingham WA Zip Code: 98229 County: Whatcom

Phone #: (360) 778-7710 email address: ecjohnston@cob.org

Name and title of designated Title VI coordinator*: **Holly Pederson, ADA/Title VI Coordinator**

Mailing Address: 210 Lottie Street

City: Bellingham WA Zip Code: 98225 County: Whatcom

Phone #: (360) 778-7950 email address: hdpederson@cob.org

*When the Title VI coordinator changes, notify TitleVI@WSDOT.wa.gov within 30 days.

To comply with Title VI requirements, each annual report submission must include signed Standard Assurances (USDOT1050.2A).

Accomplishments

- 1. Have there been any changes to the approved Title VI Plan that have not been reported to OEO? If Yes, please submit an update to the Title VI Plan with a new signature.

The City of Bellingham submitted a Title VI Plan to WSDOT and received approval in October 2023. City Leadership has changed effective January 1, 2024; therefore, an updated Title VI Plan and Standard Assurances have been submitted to WSDOT for approval.

- 2. Organization, Staffing, Structure – Describe the Title VI Program reporting structure including the Title VI Coordinator, Administrative Head, and transportation-related staff. The list should include name, race, color, and national origin of each individual. Include the same details if your LPA has a volunteer

or appointed board related to transportation decision making.

Public Works Department – the City of Bellingham ADA/Title VI Coordinator, on behalf of the Mayor, is responsible for the overall management and day-to-day administration of the Title VI program. In 2023, the Public Works Department reorganized and added a Transportation Division so there are four divisions (Engineering, Natural Resources, Utilities Operations and Transportation). The ADA/Title VI Coordinator reports directly to the Superintendent of Communications, Facilities and Fleet under the Transportation Division.

2023 Position Title	Race	Ethnicity	Female	Male
Mayor	White	Not Hispanic or Latino		X
Public Works Director	White	Not Hispanic or Latino		X
Public Works Assistant Director – Engineering	White	Not Hispanic or Latino		X
Engineering Manager	White	Not Hispanic or Latino		X
Construction Manager	White	Not Hispanic or Latino		X
Transportation Planner	White	Not Hispanic or Latino		X
Public Works Assistant Director - Transportation	White	Not Hispanic or Latino		X
Superintendent – Comm/Facilities/Fleet	White	Not Hispanic or Latino	X	
Superintendent – Traffic/Parking/Fiber	White	Not Hispanic or Latino		X
ADA/Title VI Coordinator	White	Not Hispanic or Latino	X	

Transportation Commission – The Transportation Commission is expected to help shape the future of Bellingham by taking a long-range, strategic look at transportation issues and providing recommendations on policy choices and investment priorities. Additional information about the Bellingham Transportation Commission is located on the City’s website ([Transportation Commission - City of Bellingham \(cob.org\)](https://www.cob.org/transportation-commission)).

Member	Race	Ethnicity	Female	Male
Transportation Commission Member	White	Not Hispanic or Latino		X
Transportation Commission Member	White	Not Hispanic or Latino	X	
Transportation Commission Member	White	Not Hispanic or Latino	X	
Transportation Commission Member	White	Not Hispanic or Latino		X
Transportation Commission Member	White	Not Hispanic or Latino	X	
Transportation Commission Member	White	Not Hispanic or Latino	X	
Transportation Commission Member	White	Not Hispanic or Latino	X	
Transportation Commission Member	White	Not Hispanic or Latino	X	

3. Community Demographics – Using a map of the LPA’s boundaries, describe the demographics of the LPA’s service area (e.g., race, color, national origin, low-income). List, by individual languages, the percent of the population(s) that is limited English proficient.

The following demographic data is based on the 2022: ACS 5 Year Estimate Demographic and

Housing Estimates prepared by the U.S. Census Bureau for City of Bellingham, WA.

Category	Percentage	Number
Race: (population)		
White	75.4%	70,788
Black or African American	1.4%	1,336
American Indian and Alaskan Native	0.9%	821
Asian	6.8%	6,378
Native Hawaiian and other Pacific Islander	0.4%	370
Other race	5.6%	5,301
Two or more races	9.5%	8,905
Ethnicity: (population)		
Hispanic or Latino	11.7%	10,983
Not Hispanic or Latino	88.3%	82,916
Limited English Proficiency by Language (LEP): (population)		
Spanish	1.3%	1,248
Russian, Polish, or other Slavic languages	0.05%	43
Other Indo-European language	0.6%	518
Korean	0.4%	339
Chinese (incl. Mandarin, Cantonese)	0.1%	53
Vietnamese	0.3%	251
Tagalong	0.4%	342
Other Asian and Pacific Islander languages	0.7%	691
Arabic	0.1%	59
Total LEP population	3.8%	3,544

Additional demographic data for the City of Bellingham is displayed in Appendix A.

4. Complaints – Provide a copy of the LPA’s Title VI complaint log, including new Title VI complaints received during this reporting period and any still pending. Include the basis of the complaint (race, color, national origin) and describe the disposition (status/outcome).

There were no Title VI complaints filed during the 2023 reporting period. **See Appendix B for City of Bellingham Title VI Complaint Log.**

A designated [Title VI webpage](#) has been established which includes the following content:

- Notice of Title VI Rights
- City Title VI Plan
- Title VI Complaint Procedures
- Title VI Complaint Form (English form and Spanish form)
- City Title VI Annual Updates

The City of Bellingham website provides content translation for five languages (Spanish, Punjabi, Vietnamese, Chinese and Russian). Interpreters and translated documents are

provided upon request while the Language Access Project Team develops standard guidelines under a Language Access Plan.

5. Planning – Describe the transportation planning activities performed this reporting period. Describe the actions taken to promote Title VI compliance regarding transportation planning, including monitoring and review processes, community involvement, their outcome or status. Include examples of community outreach.

Transportation Improvement Program – The [Six-Year \(2024-2029\) Transportation Improvement Program \(TIP\)](#) was adopted by City Council on June 5, 2023. The City of Bellingham’s Six-Year TIP is the funding mechanism for expensive capital improvements to Bellingham’s multimodal transportation network. The Six-Year TIP is consistent with the comprehensive plan transportation element. During the course of each year, Bellingham’s Transportation Planning staff monitors safety, congestion, and multimodal mobility issues on the citywide transportation network, as well as emerging opportunities for grant funding and public-private partnerships. The evaluation process includes input from various departments, local jurisdictions and organizations, citizen groups and private individuals. The primary source of major transportation improvements is from the identified project list in the Transportation Element of the Bellingham Comprehensive Plan. The Transportation Element of the Comprehensive Plan is informed by neighborhood open meetings, public comment periods and a public hearing in front of City Council. Additional information is posted online ([Funding for Multimodal Transportation Improvements - City of Bellingham \(cob.org\)](#)).

Neighborhood Traffic Safety Program (NTSP) – The City had an NTSP program from 1995 to 2008 which was used to implement projects requested by neighborhoods that scored high on specific safety related criteria. The Transportation Commission and City staff are developing a modern Neighborhood Traffic Safety Program to address transportation safety concerns on local, neighborhood streets. The NTSP ensures that residents can help shape and prioritize solutions for their communities. Through an inclusive and equitable process, the City’s NTSP staff works with residents to find creative, data informed and community-driven solutions for local traffic issues.

ADA Transition Plan – In 2023, the City of Bellingham continued to utilize and implement the [ADA Transition Plan for Pedestrian Facilities in the Public Right-of-Way](#) that was previously adopted in April 2021. The Transition Plan focuses exclusively on the public right-of-way which includes improvements to sidewalks, curb ramps, pedestrian push buttons and other pedestrian-related facilities. To focus efforts on pedestrian facilities within the public right-of-way that serve the largest number of individuals, an analysis of the proximity to public destinations such as schools, libraries, parks, transit, and public buildings was completed. Curb ramps and sidewalks were assigned points based on each destination they were close to. Public Works Construction Inspectors are using this data to take measurements (including slopes and barriers) within the existing pedestrian network. The Public Works GIS Team developed a custom GIS APP to record and track barrier removal. Our Inspectors use the APP to record measurements of the sidewalk, slopes, curb ramps and hazards. We will be gathering the data and creating a priority list and timeline for improvements.

Accessible Pedestrian Signals – The City of Bellingham’s ADA Transition Plan includes a policy (page 103) to establish reasonable and consistent standards for installing Accessible Pedestrian

Signals and Pushbuttons (APS). The policy indicates individuals living with disabilities or those who directly care for individuals living with disabilities can request installation of APS at signalized intersections, including HAWK signals. Requests will be logged and considered for improvement outside of a new construction or alteration project. There was an individual request for an upgraded APS system on Alabama and Yew Street, which was upgraded and installed in January 2023.

Communication Services and Language Access – A Language Access Plan is currently under development to adopt city-wide that will focus on limited English proficient individuals within City-limits and provide a standard approach for public engagement with City projects, services and programs. The City’s adopted 2023-2024 budget prioritizes continued emphasis on equity and inclusion efforts including investments in language access.

Public Outreach – The City of Bellingham has established a [Commitment to Human Rights](#) and encourages feedback from everyone in our community. The City is using [Engage Bellingham](#) online to engage with the community on various City-sponsored projects, planning processes and programs. Feedback collected through Engage Bellingham will supplement other in-person engagement opportunities, including open houses and focus groups. Spanish speaking residents represent the largest LEP population in Bellingham. Project information is posted on the City’s website as its own project webpage, which can be automatically translated into Spanish, Punjabi, Vietnamese, Chinese and Russian. A graphic is added to all project mailers that direct the community to visit the website for project information in any of these languages. Materials will be translated into other languages as requested. Our goal is to create an inclusive and welcoming environment for all individuals in our City and we’re taking steps to remove any barriers. The City is committed to updating and enhancing metrics for social equity, income, physical disabilities and language access.

6. Right-of-way actions – Describe activities during this reporting period associated with the purchase, sale, lease/use, or transfer of real property (related to highway transportation/public right-of-way use). Include demographic information of affected populations. For example, the race, color, national origin of affected property/business owners(s)/tenant(s).

ES0473 – James and Bakerview Intersection Improvements

A contract for appraisal services was originally issued to Integra Realty Resources in July of 2020 during the Covid-19 pandemic and then updated again in January 2023 for the remaining properties impacted by this project (one male appraiser and three female appraisers were assigned). A total of four private properties were impacted by the result of the project design with no clearly identifiable minority groups impacted. The City obtained three Possession and Use Agreements in addition to a Right-of-Way Deed for construction of the James and Bakerview Intersection Improvements. The Right-of-Way Acquisition process is still pending.

The existing intersection of James Street and Bakerview Road will be reconstructed as one multimodal roundabout to improve safety, efficiency, and access for all transportation modes, including freight. Additional information about this project is listed under Question # 9.

ES0564 – Meridian-Birchwood Transportation Improvements

A contract for appraisal services was issued in 2023 regarding the Meridian-Birchwood Transportation Improvements project. Integra Realty Resources (one female appraiser) was

selected to perform this work. The Right-of-Way Acquisition process is anticipated to be wrapped into the design phase. This project area consists of two existing closely spaced intersections on Meridian Street, a critical freight route and multi-modal transportation link between the Bellingham Waterfront and US-Canada Border Crossings. Phase 1 will merge Squalicum Parkway with Birchwood Avenue before intersection with Meridian Street and decommission of the Squalicum/Meridian traffic signal. Phase 2 will reconstruct the traffic signal at Meridian/Birchwood as a dual lane multimodal roundabout. Right-of-Way Acquisition for full project and future trail connection will also be pursued. Additional information about this project is listed under Question # 9.

7. Identify right-of-way appraisers and acquisition staff (used during this reporting period) by race, color, national origin.

Position Title	Race	Ethnicity	Female	Male
Real Property Manager	White	Not Hispanic or Latino		X

8. Studies and Plans – Were any transportation studies (including environmental reviews) conducted or transportation plans completed during this reporting period? Identify the data source(s) and provide data summary (Title VI/Environmental Justice Analysis) relative to ethnicity, race, languages spoken, neighborhoods, income levels, physical environments, and/or travel habits. Explain how data was used in these studies/reviews/plans.

Bellingham Pedestrian Master Plan and Bicycle Master Plan Updates – City staff are currently in the process of updating the [2012 Pedestrian Master Plan](#) and the [2014 Bicycle Master Plan](#). These mode-specific plans establish citywide pedestrian and bicycle networks, identify and recommend improved needs, apply community-identified priorities, and develop a fiscally-constrained list of projects for the future. The City has established an extensive community engagement process to receive input and feedback, including project materials translated into Spanish that was offered at a specific venue with a Spanish translator during the Pedestrian Master Plan open house event. These projects are funded by the Bellingham Transportation Fund, state and federal grants and local partnerships. [Pedestrian & Bicycle Master Plan Updates - City of Bellingham \(cob.org\)](#) information is available online as well as the Engage Bellingham project page [Pedestrian and Bicycle Master Plan Updates | Engage Bellingham](#).

Project efforts in 2023 focused on the following areas:

1. Discovery: Research policies, analyze the bicycle network.
2. Bike Plan Development: Hear from the community and develop an updated bicycle plan including proposed recommendations.
3. Stakeholder Review: City-wide committees review the plans.

The Bicycle Master Plan project team, which consisted of representatives from the City of Bellingham’s Public Works and Planning and Community Development Departments as well as a consultant team, started developing this plan in April 2023. Plan adoption is anticipated in March 2024. The Bellingham Transportation Commission, comprised of members with a range of perspectives and expertise, provided input and direction to the project team. The Bellingham community was engaged throughout the process through a variety of outreach and engagement methods including pop-ups, Technical Review Committees, a virtual open house, a citywide survey and interactive webmap, a comment box at the Library, and online through

EngageBellingham. Public outreach and engagement efforts offered opportunities for the Bellingham community to provide feedback on specific locations about the issues of concern and preferred pedestrian improvements.

1. Pop-up event: A pop-up event at the Bellingham Bike Parade on May 7, 2023 was held by the City of Bellingham and Toole Design to raise awareness about the Bicycle Master Plan Update. Posterboards showing general information and goals of the plan update were displayed in both English and Spanish. There were printed maps for visitors to add comments to, corresponding with the online webmap. In addition, cards with a QR code to the Engage Bellingham website were distributed. The event also included a children’s activity to make bicycle and helmet decorations.
 2. Technical Review Committee: The project team convened a Technical Review Committee (TRC) comprised of community-based organizations whose work and daily life intersect with cycling in Bellingham. The TRC groups participating are listed below. During the TRC meetings, the project team provided a brief presentation on how and when the City is proposing to update the Bicycle Master Plan. General discussion took place based on a set of prepared questions. TRC members were also asked to make use of EngageBellingham and the interactive map and survey as they refined their inputs.
 - a. April 10, 2023 – The Adaptive and Inclusive Recreation Project of Whatcom County (AIROW)
 - b. April 17, 2023 – Mount Baker Bicycle Club (MBBC)
 - c. April 20, 2023 – Walk and Roll Bellingham
 - d. June 28, 2023 – Bellingham Chamber of Commerce
9. Project Location and Design – Provide a list of construction projects that began during this reporting period. Using a map of the LPAs service area, identify project locations, and a brief description of the projects’ benefits/burdens to affected populations. If possible, provide a map that overlays projects with the racial composition of affected neighborhoods.

Construction projects initiated during the 2023 reporting period did not adversely impact minority and/or low-income Environmental Justice populations. Additional demographic data in relation to the project areas are displayed in Appendix A. The following list describes project benefits.

Street and Sidewalk Maintenance – Under the Transportation Improvement Program (TIP), the City has established an annual street pavement resurfacing program and non-motorized transportation upgrades, which includes sidewalk and bikeway improvements. Annual maintenance of existing public streets and bicycle lanes protects the City’s investment in these facilities and ensures an adequate quality driving and riding surface at an optimized life-cycle cost. The non-motorized transportation upgrades add sidewalk connections, crosswalks and various bicycle facilities to complete and enhance the citywide Pedestrian and Bicycle non-motorized transportation network and the WTA transit network throughout Bellingham. Within this category, the City has established annual contracts for concrete and asphalt repairs to improve pedestrian safety. This program allows the City to prioritize sidewalk and road repairs in response to complaints. To report an issue with a sidewalk or street, citizens and staff can utilize the [SeeClickFix](#) program. When a citizen submits a request, applicable crews are dispatched to evaluate the concern. The City has been able to quickly address accessibility

issues by having this reporting tool and annual contracts for concrete and asphalt repairs already in place.

EF0154 – Electrification of Transportation

This two-phase project involves installing electric vehicle (EV) charging stations throughout Bellingham to improve the availability of EV charging and help Bellingham make progress on its climate action goals. In total, this project will install 90 new EV plugs at 26 different locations across Bellingham on City-owned properties and public rights-of-way near destinations, workplaces, and multifamily residential areas. The project includes standard Level 2 chargers, DC fast chargers, and solar-powered chargers. Existing parking stalls will be converted to electric vehicle charging only stalls. Phase 1 of this project finished construction in 2023 and includes six charging stations. Phase 2 is expected to begin construction in mid 2024 and includes 20 charging stations. [Electrification of Transportation - City of Bellingham \(cob.org\)](#)

ER015/ER016 – Meador Ave and James Street Whatcom Creek Bridge Replacement Projects

James Street and Meador Avenue are listed as arterial streets. The two bridges to be replaced in this project were originally built in 1936 and rebuilt in 1962 and are nearly identical. Both are built on timber piers which have been deteriorating. The project includes removal and replacement of the two bridges with single span bridges with varying cross sections. Improvements will also consist of replacing existing water main on the bridges, relocating existing sanitary sewer infrastructure, mitigating stormwater, relocating franchise utility and other work associated with the replacement of the bridges.

An Environmental Justice Analysis was conducted for this bridge replacement project. The results of the Social and Community Impacts Decision Matrix indicate that there are protected populations present within the detour route. The project will result in a detour for commercial and private vehicles during construction. Construction is estimated to last approximately 8 to 10 months. The anticipated impact of the detour on vehicle traffic will be low to moderate because of the traffic coming from local residential areas and commercial areas farther away. Based on the Environmental Justice Analysis conducted, the populations existing within the detour polygon consist of fewer minorities, fewer low income households and fewer English language learners. Therefore, impacts of the project from the detour on adjacent populations will not disproportionately affect low-income households, minorities, or English language learners. The project will not require any relocations or displacements of protected populations. Temporary right-of-way (e.g., construction access) will be required for the project but no permanent right-of-way acquisition is required for the project and no property will be purchased.

While the bridges are being designed and constructed as one project, each bridge is funded separately by Federal Local Bridge Program Funds as well as local Street Funds. Construction is expected for 2024. The two bridges received two separate Federal Highway Bridge Program awards and are considered separate projects. Both projects are federally funded through the WSDOT STP(BR) bridge replacement program. [Meador Avenue and James Street Whatcom Creek Bridge Replacement Projects - City of Bellingham \(cob.org\)](#)

ES0473 – James and Bakerview Intersection Improvements

The existing intersection of James Street and Bakerview Road will be reconstructed as one multimodal roundabout to improve safety, efficiency, and access for all transportation modes,

including freight. Due to significant delays, poor level of service, lengthy vehicle queues, and lack of physical storage space for left-turning vehicles from James to Bakerview, the intersection currently presents safety concerns. As development continues and traffic volumes increase, intersection level of service and delay will continue to degrade with the potential for increased risk of traffic collisions.

An Environmental Justice Analysis was conducted for this transportation improvement project. All populations will benefit from the intersection improvements, and the opportunities it presents for improved safety, traffic flow, emergency vehicle response times, bicycle and pedestrian provisions, public transit efficiency and truck route improvements. Thus, there will be no disproportionately high or adverse short-term impacts on EJ populations, as all populations will be affected equally. This project will not permanently change travel patterns for vehicles, commuters, transit, bicycles, or pedestrians. This project will improve travel by improving traffic flow, reducing queuing times and improving pedestrian and bicyclist safety. Construction will also improve truck traffic through the intersection from and to the nearby Irongate Industrial area. No minority or low-income populations have been identified that would be adversely affected by this project. Improvements will benefit all populations within the project boundary the same; no disproportionate or adverse impacts are anticipated for minority populations only. The project will involve some right-of-way acquisition; however, this is dependent on location along the project boundary, not the demographic of the person(s) from which right-of-way will be purchased. Additionally, the right-of-way acquisitions are the minimum areas necessary to construct the project improvements. Construction of this project is likely to occur in 2024. [James and Bakerview Intersection Improvements - City of Bellingham \(cob.org\)](https://cob.org)

ES0537 – Telegraph Road Multimodal Improvements

The Telegraph Road Multimodal Improvements Project will upgrade and rehabilitate the Telegraph Road corridor from Deemer Road to James Street to improve safety and connectivity for all users, including pedestrians, bicycles, transit and motor vehicles. The existing narrow rural road has limited, sub-standard pedestrian and bicycle facilities. Portions of the project corridor have seen increased transit use since WTA began routing the Gold GO line with 15-minute service through this corridor. This multimodal improvement project will reconstruct this corridor to a complete urban street, with typical amenities of multimodal features and services including sidewalks, streetlights, curbs, gutters, bike lanes, pedestrian-activated flashing crosswalks, intersection traffic signals, Whatcom Transportation Authority (WTA) bus stops and traffic channelization. Funding will come from Transportation Benefit District No. 1, Real Estate Excise Taxes, Transportation Impact Fees, a contribution from WTA, and federal funding via a Surface Transportation Block Grant (STBG). [Telegraph Road Multimodal Improvements - City of Bellingham \(cob.org\)](https://cob.org)

ES0560 – Parkview Safe Routes to School

The Parkview Safe Routes to School project is adding key regional sidewalks on Coolidge, Indiana, Cornwall and Vallette streets along with improvements along West Illinois. The project will add a flashing beacon and crosswalk at Vallette Street. This project improves pedestrian and driver safety along a route to Parkview Elementary School and in the surrounding neighborhood. The project was approved by WSDOT and construction is underway through Spring of 2024. This project is funded by the Bellingham Transportation Fund, a Federal Safe

Routes to School Grant and a Washington Transportation Improvement Board Grant. [Parkview Safe Routes to School - City of Bellingham \(cob.org\)](#)

ES0561 – West Illinois Multimodal Improvements

The West Illinois Multimodal project will add sidewalks to West Illinois and add/upgrade ramps to ADA requirements. In addition, a small roundabout will be installed at the intersection of Meridian Street and West Illinois and the existing signal will be removed. Bike facility markings will be placed on Meridian, Illinois and Girard Streets and Rectangular Rapid Flashing Beacons (RRFBs) will be installed at Meridian/North Street, Meridian/Oregon Street and Girard/H Street. The Oregon and H Street crossings will have new pedestrian ramps installed as well. The purpose of this project is to improve pedestrian, bicyclist, and driver safety in the area. This project is happening around the same time as the Parkview Safe Routes to School project. This project is funded by the Bellingham Transportation Fund, a Washington State Improvement Board Grant and Washington State Complete Streets. The project bid process is complete and will go to City Council for approval in early 2024. [West Illinois Multimodal Improvements - City of Bellingham \(cob.org\)](#)

ES0563 – West-side Non-Motorized Improvements

The West-side Non-Motorized Improvements Project will add and improve bicycle and pedestrian infrastructure in 15 locations throughout Bellingham, primarily on the west side of town. Construction started in September 2023 beginning with restriping bike lanes on Cornwall and Eldridge. Planning to install bike lanes and crosswalks as the weather gets warmer. Also waiting to receive the Rectangular Rapid Flashing Beacons (RRFBs), which have been delayed due to supply chain issues. All improvements are anticipated to be completed in Spring 2024. The City has contracted with a Data Collection Consultant for the Eldridge Pilot Project. The consultant will collect data on volume, speed, and classification of vehicles, as well as pedestrian and bicyclist volume before construction and quarterly after construction begins. Additional project details are listed on the website. [Westside Non-Motorized Improvements - City of Bellingham \(cob.org\)](#)

ES0564 – Meridian-Birchwood Transportation Improvements

This project area consists of two existing closely spaced intersections on Meridian Street, a critical freight route and multi-modal transportation link between the Bellingham Waterfront and US-Canada Border Crossings. Design of Phase 1 (2024-2029 TIP Project #6) and Phase 2 (TIP Project #13) with construction of Phase 1 is planned with this project. Phase 1 will merge Squalicum Parkway with Birchwood Avenue before intersection with Meridian Street and decommission of the Squalicum/Meridian traffic signal. Phase 2 will reconstruct the traffic signal at Meridian/Birchwood as a dual lane multimodal roundabout. Right-of-Way Acquisition for full project and future trail connection will also be pursued. The project is in the early Right-of-Way Acquisition process.

ES0566 – 12th & Finnegan Safety Improvements

This project will install a new traffic signal and Rapid Rectangular Flashing Beacons at key intersections in the Fairhaven area along with ADA improvements, new sidewalks and bike lane improvements. The project kicked off in August 2023 and is currently in the survey and design phase. The funding for this project comes from the City of Bellingham Street Fund, Non-motorized funding, and the WA State Transportation Improvement Board Grant. [12th and Finnegan Multimodal Projects - City of Bellingham \(cob.org\)](#)

ET034 – Lincoln/E Maple Signal & Non-Motorized Improvements

The Lincoln-Maple Signal & Non-Motorized Improvements project will construct a full traffic signal at Lincoln/E Maple to improve intersection operation and safety and break the 0.86-mile corridor in half by providing a protected pedestrian crossing. Research indicates that the intersection at Lincoln St/E Maple St requires the planned traffic signal to improve safety. This was confirmed in three recent independent traffic impact analyses (TIAs) for private residential development and in the 2020-2021 Lincoln-Lakeway Multimodal Transportation Study conducted by the City, WSDOT, WTA and WCOG. Several hundred student apartments and significant commercial development has been approved or is under construction along both sides of Lincoln Street and E Maple. This intersection also abuts the WWU Lincoln Creek Park-N-Ride and WTA high-frequency transit service to WWU campus. The scope of the project has been expanded to include other improvements in the corridor including Lincoln Street (will be re-channelized from 5 lanes to 3 lanes with center turn lane), existing bike lanes will become buffer-protected bike lanes, a flashing crosswalk and transit island will be constructed at Lincoln/Viking Circle, and a 5-foot-wide sidewalk will be constructed along the west side of Ashley/E Maple between Lincoln and Consolidation. Construction began in September 2023 and is expected to last through Spring 2024. Due to supply chain delays, the signal at Lincoln and Maple will not be ready to install until early Spring. [Lincoln-Maple Signal & Non-Motorized Improvements - City of Bellingham \(cob.org\)](https://www.cob.org/lincoln-maple-signal-non-motorized-improvements)

Public Outreach Materials 2023 – Feedback collected through Engage Bellingham will supplement other in-person engagement opportunities, including open houses and focus groups. Spanish speaking residents represent the largest LEP population in Bellingham. Project information is posted on the City’s website as its own project webpage, which can be automatically translated into Spanish, Punjabi, Vietnamese, Mandarin and Russian. A graphic is added to all project mailers that direct the community to visit the website for project information in any of these languages. Materials will be translated into other languages as requested.

Project #	Project Name	Outreach Materials 2023
EF0154 ES567	Electrification of Transportation (Phase 1 & Phase 2) *This project was designed in 2022 and will continue to have outreach efforts in 2023/2024	Outreach materials in 2023 include a project webpage, email updates and a sign posted at charging stations highlighting the rates to use the electric vehicle chargers. This project will install electric vehicle (EV) charging stations at different sites distributed equitably across Bellingham. These locations vary considerably in their ethnicity, languages spoken, neighborhoods, and income levels. Six charging stations were installed in 2023. An additional 20 charging stations will be installed in 2024. When we do targeted outreach as construction continues in 2023/2024, we plan to use demographic data to inform priorities in outreach efforts and determine which languages to translate materials into. All project information on our website is available in the top 5 languages spoken in Bellingham.

Project #	Project Name	Outreach Materials 2023
ER015 ER016	Meador Ave and James Street Whatcom Bridge Replacement projects	All project information on our website is available in the top 5 languages spoken in Bellingham.
ES0473	James and Bakerview Intersection Improvements	All project information on our website is available in the top 5 languages spoken in Bellingham.
ES0537	Telegraph Road Multimodal Improvements	All project information on our website is available in the top 5 languages spoken in Bellingham.
ES0560 ES0561	Parkview Safe Routes to School West Illinois Multimodal Improvements *these projects overlap and will continue to have combined outreach efforts	Engage Bellingham page (two surveys: one for adjacent residents and another for anyone in the City) The adjacent neighborhoods (Eldridge, Columbia & Cornwall park are not identified as LEP regions). All project information on our website is available in the top 5 languages spoken in Bellingham.
ES0563	West-side non-motorized improvements	All project information on our website is available in the top 5 languages spoken in Bellingham.
ES0564	Meridian/Birchwood	All project information on our website is available in the top 5 languages spoken in Bellingham.
ES0566	12 th & Finnegan Safety Improvements	All project information on our website is available in the top 5 languages spoken in Bellingham.
ET034	Lincoln-E Maple Signal & Non-motorized improvements	All project information on our website is available in the top 5 languages spoken in Bellingham.

10. Other Public Meetings – List other public meetings held during this reporting period. Identify efforts used to encourage citizen participation at those meetings. Detail dates, times, locations, attendance, and provide examples of outreach materials.

Identify members of the LPA's transportation planning and/or advisory groups by race, color, and national origin

Specify methods used to collect demographic information from the transportation-related public meetings. (Self-identification surveys, notes by staff, etc.) Include summaries of Public Involvement Forms collected at each meeting, listing the demographics of those who attended by meeting.

List any language assistance services requested. For which languages? Who provided the service? In

addition, list vital documents translated during the reporting period and identify the languages.

Transportation Commission – Meetings are typically held on the 2nd Tuesday of the month at 6:00pm. Meetings take place in-person at the Public Works Pacific Street Operations Center (2221 Pacific Street). City boards and commissions returned to in-person meetings, with remote participation as an option. Agendas, minutes, and materials are available via the [City of Bellingham's Transportation Commission website](#). Assistive listening devices and qualified interpreters are provided upon request. Transportation Commission demographics are listed under Question # 2 of this report.

Bellingham City Council Meetings – City Council Public Meetings were held in-person with a hybrid remote attendance option. The Meeting Calendar is posted online ([Council Meetings - City of Bellingham \(cob.org\)](#)). Generally, City Council Meetings are held on Mondays beginning at 7:00pm in Council Chambers, located at City Hall (210 Lottie Street). The Council Chambers is fully accessible. Elevator access to the second floor is available at City Hall's west entrance. Hearing assistance is available, and a receiver may be checked out through the Deputy City Clerk prior to the evening session.

The Bellingham City Council accepts feedback during their meetings in two different ways: during scheduled Public Hearings and during general Public Comment Sessions (in-person or remotely via Zoom). Instructions are provided at the time of the Public Hearing or Public Comment Session. Community members can speak during a Public Hearing or the Public Comment Session. In addition, advance written Public Hearing testimony and general written Public Comment can be presented by mail or online. All City of Bellingham construction contracts, consultant agreements and right-of-way acquisitions are approved at City Council meetings which are open to the public.

- Agendas, notices, and minutes of all meetings are available via the City of Bellingham's website. Council Committee and Regular Meeting agendas and packets, which contain the supporting documentation for agenda items, are available to the public on Wednesday afternoon prior to the meeting. They are posted at <https://cob.org/meetings>. A hard copy of the agenda packet is available for review from the reference desk at the Central Library or the Finance Office at City Hall.
- Council meetings are streamed live via the City's website at meetings.cob.org and on the [City's YouTube channel](#). Members of the public who do not have cable or internet access may listen to the meeting via telephone.
- Members of the public can sign up to speak at meetings. Accommodations are made for people with disabilities and translation is available for people with limited English proficiency.

City Council – members are elected by the citizens of Bellingham. Terms are four years, except for the at-large position, which is a two-year term. City Council contact information and biographies are available on the City's website ([Council Contacts and Biographies - City of Bellingham \(cob.org\)](#)).

2023 Position Title	Race	Ethnicity	Female	Male
1 st Ward City Council Member	White	Not Hispanic or Latino	X	
2 nd Ward City Council Member	White	Not Hispanic or Latino	X	
3 rd Ward City Council Member	White	Not Hispanic or Latino		X
4 th Ward City Council Member	Black	US-Black or African American		X
5 th Ward City Council Member	White	Not Hispanic or Latino	X	
6 th Ward City Council Member	White	Not Hispanic or Latino		X
At Large City Council Member	Black	US-Black or African American	X	

11. Transportation-related Construction and Consultant Contracts (if applicable) – Briefly describe the process used to advertise and award construction contracts during this reporting period. Include the process for negotiated contracts (e.g., consultants).

Consultant contracts for professional services are publicly advertised on the City’s website and in the local newspaper, the Bellingham Herald. City of Bellingham policy is to comply with Title 49 Code of Federal Regulations (CF) Part 26 to ensure that Disadvantaged Business Enterprises, including minorities and women, have an equal opportunity to receive and participate in federally assisted contracts. The City of Bellingham does not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate in connection with the award or performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin. All federal construction contracts and all bid packages have appropriate language, goal setting programs and monitoring to address the use of minority firms in capital construction. Project engineers review information submitted into the Diversity Management and Compliance System (DMCS) through Local Programs on all federally funded projects. Additional City Purchasing information is listed online ([City Purchasing - City of Bellingham \(cob.org\)](http://City Purchasing - City of Bellingham (cob.org)))

12. Describe the actions taken to promote construction contractor/consultant compliance with Title VI by construction contractors/consultants, including monitoring and review processes, and their outcomes/status (e.g. what Title VI language was included in contracts and agreements; were contractors and consultants reviewed to ensure compliance; what Title VI responsibilities are explained to contractors and consultants?)

The City of Bellingham includes standard Title VI language in every capital construction contract. The following paragraph is included in all advertisements and requests for qualifications:

“The City of Bellingham in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and

will not be discriminated against on the grounds of race, color, national origin or sex in consideration for an award.”

The City of Bellingham does not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate in connection with the award or performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin. All federal construction contracts and all bid packages have appropriate language, goal setting programs and monitoring to address the use of minority firms in capital construction. Project engineers review information submitted into the Diversity Management and Compliance System (DMCS) through Local Programs on all federally funded projects.

13. List construction, right-of-way, and consultant contracts with your LPA/MPO/entity for this report period with dollar value of each. Identify funding sources (federal, state, local, other), and how many were awarded to certified disadvantaged contractors (as a prime contractor/consultant).

2023 Construction, Right-of-Way, and Consultant Contracts listed on the following page.

Project Number	Project Name	Contract Executed Date	Contract Value	Type of Service (planning, design, ROW, construction)	Contracting Party	DMWBE (Y/N)	Funding Source(s) (federal, state, local, other)
Annual Contract	2023 Cement Concrete Repairs	2/23/2023	\$1,297,616.29	Repair Services	S&S Concrete Construction Inc	Yes (DBE, WBE)	Local
Annual Contract	Annual Alley Grading Equipment Rental & Services	2/9/2023	\$40,953.85	Repair Services	Ram Construction	No	Local
ES473	James and Bakerview Intersection Improvements	2/2/2023	\$3,000.00	ROW Appraisal	Integra Realty Resources	No	Local
ES537	Telegraph Road Multimodal Improvements	12/21/2023	\$6,803,830.00	Construction	Ram Construction Subcontractors: -Sail Electric - \$1,128,300 (Illumination Systems and traffic signals) - *S&S Concrete DBE/WBE- \$906,170 (Concrete Services) -Pacific Survey & Engineering - \$77,750 (Surveying Services) -National Precast - \$285,844 (Stormwater Vault) -WRS - \$525,730 (Asphalt Paving) -Windwood Enterprises - \$152,882 (Seeding and mitigation) - *Burley Products DBE - \$189,596.40 (Barrier Railing)	*Yes	Local Federal
ES560	Parkview Safe Routes to School	9/6/2023	\$3,418,938.00	Construction	Faber Construction Corp Subcontractors: - *Electric West DBE - \$242,160.00 - *Twisted Metal LLC DBE - \$315,000 -Cut-All Concrete - \$17,700 - *J&G Concrete DBE - \$739,315 -LangCo - \$55,300 -Ground Up Road Construction - \$6,650 -Kamps Painting Company - \$104,624.25 -Lakeside Industries Inc - \$115,216 - *Land Development Engineering & Survey DBE - \$11,575	*Yes	Local Federal State
ES563	Eldridge Corridor Data Collection	5/9/2023	\$37,384.00	Planning	Innovative Data Acquisitions LLC	No	Local
ES563	West-side non-motorized improvements	8/14/2023	\$1,675,874.00	Construction	Colacurcio Brothers Inc	No	Local
ES564	Meridian/Birchwood	6/30/2023	\$21,500.00	ROW Appraisal	Integra Realty Resources	No	Local
ES566	12th & Finnegan Safety IMPS Design Service	9/8/2023	\$310,600.00	Design	Transpo Group USA, Inc	No	Local State

Project Number	Project Name	Contract Executed Date	Contract Value	Type of Service (planning, design, ROW, construction)	Contracting Party	DMWBE (Y/N)	Funding Source(s) (federal, state, local, other)
ES566	12th & Finnegan Survey and Mapping	7/26/2023	\$28,250.00	Planning	Land Develop Eng & Survey Inc	Yes (DBE, MBE)	Local State
ET034	Lincoln-E Maple Signal & Non-motorized imps	8/14/2023	\$1,135,075.00	Construction	Colacurcio Brothers Inc	No	Local
Multiple	WTA High Frequency Corridor Study - Bellingham	2/28/2023	\$75,000.00	Planning	Whatcom Transportation Authority	No	Local

14. Education & Training – Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status.

List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training.

When was Title VI internal training provided to staff? Who conducted the training? What was the subject of the training? Provide the job titles and race/color/national origin of attendees.

List other civil rights training conducted locally. Provide dates and a list of participants by job title and Title VI role, if applicable.

Achievements in 2023

- In August 2023, a Language Access Project Team was established to develop Language Access guidelines for all City departments, projects, meetings, and vital documents. This team consists of department representatives involved with communication and outreach projects.
- The City website now provides a translation feature for our top 5 languages (Spanish, Punjabi, Vietnamese, Chinese and Russian). Additional elements of website translation are being evaluated by the Language Access Project Team.
- The City previously had a Title VI Agreement, and with the increase in population a new Title VI Plan was developed and approved by WSDOT in 2023.
- A dedicated City webpage was created for Title VI information ([Title VI of the Civil Rights Act of 1964 - City of Bellingham \(cob.org\)](https://www.cob.org)), including Notice of Title VI Rights, City Title VI Plan, Title VI Complaint Procedures, Title VI Complaint Forms (English and Spanish), and City Title VI Annual Updates.
- In November/December 2023, the ADA/Title VI Coordinator provided Title VI training for City staff in Engineering, Communications and Outreach, and Finance-Purchasing. Each group discussed ways to improve Title VI initiatives.
- City-wide training was continued for Interpreter Services and utilizing the City's contract with Language Line Solutions. Training was completed for City staff that interact with the public so they can assist LEP customers over the phone and in person using a video APP technology. This program also provides American Sign Language interpretation, as needed.

Title VI Goals for Upcoming Year

What area(s) of Title VI does your agency plan to focus on in the upcoming year? Describe by particular program area what your agency hopes to accomplish. Include any significant problem areas to focus on and plans to address those.

Goals for 2024

- Organization/Staffing/Structure – Coordinate a team of applicable City staff to serve as Title VI Specialists and Title VI Liaisons to expand the Title VI program.
- Training - Newly hired Public Works staff involved in transportation projects will complete the online [Title VI Basics for LPAs training](#). Additional trainings will be conducted as a reminder for applicable City staff involved with transportation projects (Engineers, Inspectors, Communication/Outreach, and Finance/Purchasing staff).
- Design/Construction - Evaluate standards to promote construction contractor/consultant compliance with Title VI, including monitoring and tracking. Incorporate Title VI Nondiscrimination Agreement language into pre-construction agendas and checklists for Public Works Engineering and Facilities projects.
- Communication Services - Create consistent procedures for collecting demographic information, addressing language assistance needs and encouraging citizen participation for transportation projects.
- Communication Services - Establish Language Access tools and resources for City staff, as part of the Language Access Project Team. Determine vital documents to translate for City projects, meetings and website content. Provide standard translation text for all City project and meeting materials.
- Communication Services - The Communications and Outreach Team will be updating project webpages to improve accessibility of content by writing in plain language, using alt text on all photos and using formatting that is accessible for screen readers.



Memorandum

554 West Bakerview Road, Bellingham, Washington 98226, Telephone: 360.647.1510

www.geoengineers.com

To: Aric Smathers, Project Manager (City of Bellingham)
From: Fiona McNair (GeoEngineers, Inc.)
Date: January 9, 2023
File: 00356-174-00
Subject: James Street Bridge Replacement – Environmental Justice Memo

In compliance with the Presidential Executive Order 12898, United States Department of Transportation (USDOT) Order 5610.2 and Federal Highway Administration (FHWA) Order 6640.23, an Environmental Justice (EJ) Analysis was conducted for the James Street Bridge Replacement Project. The results of the Social and Community Impacts Decision Matrix (see attached) indicate that there are protected populations present within the detour route. The analysis presented herein complies with approved Washington State Department of Transportation (WSDOT) guidance and procedures and meets the provisions of Executive Order 12898.

PROJECT DESCRIPTION

The James Street Bridge Replacement project will replace the existing City of Bellingham's (City) James Street Bridge over Whatcom Creek with a new single-span bridge. The proposed replacement bridge will be an approximately 85-foot-long single-span structure with a roadway section that includes two 11-foot-wide travel lanes, two 5-foot wide bike lanes, and raised sidewalk on both sides for a total width of 45 feet and 9 inches out-to-out from the barrier railings. The project includes restoring the creek and slopes disturbed during construction in addition to constructing the new bridge. Channel grading will include 220 feet of channel through the crossing and the removal of gabion walls. Large Woody Material (LWM) will be incorporated into the channel design to provide in-stream habitat within the grading limits.

The proposed James Street Bridge Replacement Project includes:

- Construction of a new bridge crossing to replace the deteriorating bridge structure.
- Restoration of Whatcom Creek to flatter 2:1 side slopes under the new bridge and within the channel grading. A 1.5:1 side slope will be used to transition the slopes to be flush at the project's limits with the existing gabion wall systems.
- Removal of 12 known existing creosote-treated wooden piles under the bridge all of which are below the ordinary high water mark (OHWM).
- Grading 220 feet of the channel and incorporating LWM into the restored banks of Whatcom Creek.

Temporary access impacts are expected along James Street throughout the work area; however, temporary access and detours will be established (see Detour Map – NEPA Attachment 5). In addition to the main detour along Ohio Street, North State Street and Meador Avenue, an additional potential traffic impact area along Ohio Street, Cornwall Avenue, York Street and North State Street back to Meador Avenue (route shown on Meador Avenue Detour – page 2 of Detour Map – NEPA Attachment 5) was included in the analysis.

Memorandum to Aric Smathers, PE

January 9, 2023

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DEMOGRAPHICS DATA

According to the Census Bureau’s American Community Survey (ACS), there are 7,247 people living within a half mile of the project and detour route. The proposed 2-way detour route will go west and east along Ohio Street, southwest and northeast along North State Street, and west and east along Meador Avenue. An additional potential traffic impact area along Ohio Street, Cornwall Avenue, York Street and North State Street back to Meador Avenue (route shown on Meador Avenue Detour – page 2 of Detour Map – NEPA Attachment 5) was included in the analysis.

Traffic counts on James Street are not available (WRTC 2020¹). Average daily traffic in March of 2019 along N State Street at Meador Avenue was 16,220 and average daily traffic in July of 2017 on Ohio Street between North State Street and James Street was 5,514 (WRTC 2020). James Street serves residential areas but also acts as a minor arterial for traffic coming off Lincoln Street from Lakeway Drive. The number of vehicles impacted by the detour and required to reroute will be low to moderate because of the traffic coming from local residential areas and commercial areas farther away.

ACS demographics data was evaluated within the detour route to analyze the communities along and immediately adjacent to the detour route. NEPA Attachment 5 shows the detour route that was the basis of developing the polygon drawn using the EPA’s Environmental Justice Screening and Mapping Tool (“EJScreen”). The screening and analysis area is referred to as the “detour polygon” in the remainder of this memo. Table 1 below summarizes demographics within this polygon using 2010 Census data.

TABLE 1. POPULATION BY RACE WITHIN DETOUR ROUTE

Race	Number of Persons	Percentage
White Alone	5,985	83%
Black Alone	115	2%
American Indian Alone	178	2%
Non-Hispanic Asian Alone	191	3%
Pacific Islander Alone	9	0%
Other Race Alone	14	0%
Two or More Races Alone	263	4%
Total Hispanic Population	492	7%
TOTAL POPULATION	916	–

Source: EJScreen website Census 2010 Summary Report attached. Note: numbers have been adjusted to account for rounding.

Table 2 provides an overview of several demographic features within the community using the EJScreen American Community Survey (ACS) Summary Report.

¹ Whatcom Region Traffic Counts, 2020. Whatcom Council of Governments. Available at: <https://wcog.maps.arcgis.com/apps/Viewer/index.html?appid=8a738734e8b646e5be1c66eba5ead71a>

Memorandum to Aric Smathers, PE
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TABLE 2. COMMUNITY DEMOGRAPHIC DATA WITHIN DETOUR ROUTE

Income and Languages	Number of Persons	Percentage
Household Income < \$15,000	653	19%
Household Income \$15,000-\$25,000	317	9%
Total Low Income (above combined)	970	28.1%
English Language Learners	56	1%
Age 65+	609	8%

Source: ACS Summary Report (report attached). English language learners are defined as the those of the population age 5+ that speak English "less than well".

The project area is located centrally in Bellingham, such that the 0.5-radius on the detour captures 5 of 14 elementary schools, 3 of 4 middle schools and 3 of 4 high schools, therefore data for the entire Bellingham School District was collected to compare to the 2010 Census and ACS Summary Report.

The school demographic data is generated by the Office of Superintendent of Public Instruction (OSPI) and is summarized in Table 3. Comparing the community demographic data in the ACS Summary Report (Table 2) and the population by race data (Table 1) from within the project "detour polygon" to the OSPI data (Table 3) reveals that the "detour polygon" has fewer minorities, fewer low income households and fewer English language learners. Therefore, impacts of the project from the detour on adjacent populations will not disproportionately affect low-income households, minorities or English language learners.

TABLE 3. BELLINGHAM SCHOOL DISTRICT DEMOGRAPHIC DATA

Race	Enrollment	Percentage
White	7,602	66.1%
Hispanic or Latino	2,006	17.4%
American Indian and Alaskan Native	101	0.9%
Black or African American	168	1.5%
Asian	567	4.9%
Native Hawaiian/ Other Pacific Islander	33	0.3%
Two or More Races	1,023	8.9%
Income and Languages		
Low-Income	4,161	36.2%
English Language Learners	823	7.2%

Source: Washington State Office of Public Instruction [Washington State Report Card](#) website. These enrollment reports are attached.

PROJECT EFFECTS

The project will result in a detour for commercial and private vehicles during construction. Construction is estimated to last approximately 8 to 10 months. The anticipated impact of the detour on vehicle traffic will be low to moderate because of the traffic coming from local residential areas and commercial areas farther away.

Memorandum to Aric Smathers, PE

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Based on our analysis above, the populations existing within the detour polygon consist of fewer minorities, fewer low income households and fewer English language learners. Therefore, impacts of the project from the detour on adjacent populations will not disproportionately affect low-income households, minorities or English language learners.

The project will not require any relocations or displacements of protected populations. Temporary right-of-way (e.g., construction access) will be required for the project but no permanent right-of-way acquisition and/or take is required for the project and no property will be purchased.

Attachments:

Completed Social and Community Impacts Decision Matrix for the Project

EJSCREEN Census 2010 Summary Report

EJSCREEN ACS Summary Report

EJScreen Report

OSPI Washington State Report Card Summary: Bellingham School District Enrollment by Student Demographics

OSPI Washington State Report Card Summary: Bellingham School District Enrollment by Student Program and Characteristic

Disclaimer: Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments are only a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.

SOCIAL & COMMUNITY IMPACTS DECISION MATRIX

The following decision matrix is an approach that uses a series of questions with Yes/No answers to provide direction on when additional analysis and documentation is appropriate for a proposed project. If additional documentation is necessary, consider all potential sources of impacts to protected populations in the analysis.

- 1) Are any protected populations present within the proposed limits of the project's impacts?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. No further analysis is required.

Yes – Proceed to question 2.

- 2) Does the project require permanent right-of-way acquisition?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. No further analysis is required.

Yes – Proceed to question 3.

- 3) Does the proposed project require any relocation of real and/or personal property?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. Proceed to question 4.

Yes – An EJ memo is likely required. If so, the local agency must describe the project impacts and analyze their severity. Proceed to question 5.

- 4) Does the permanent right of way acquisition require more than 10 percent of any parcel?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. No further analysis is required.

Yes – Proceed to question 5.

- 5) Does the proposed project require displacement of more than 10 residences or businesses?

No – An EJ memo is required. The local agency must describe and analyze the proposed project's potential impacts in the form of an EJ Memo.

Yes – This project will require a discipline report and public outreach to make an environmental justice determination.



EJSCREEN Census 2010 Summary Report



Location: User-specified polygonal location
 Ring (buffer): 0.5-miles radius
 Description: Meador & James

Summary	Census 2010
Population	7,247
Population Density (per sq. mile)	5,243
People of Color Population	1,262
% People of Color Population	17%
Households	3,340
Housing Units	3,502
Land Area (sq. miles)	1.38
% Land Area	95%
Water Area (sq. miles)	0.07
% Water Area	5%

Population by Race	Number	Percent
Total	7,247	-----
Population Reporting One Race	6,936	96%
White	6,291	87%
Black	121	2%
American Indian	193	3%
Asian	194	3%
Pacific Islander	12	0%
Some Other Race	125	2%
Population Reporting Two or More Races	311	4%
Total Hispanic Population	492	7%
Total Non-Hispanic Population	6,755	93%
White Alone	5,985	83%
Black Alone	115	2%
American Indian Alone	178	2%
Non-Hispanic Asian Alone	191	3%
Pacific Islander Alone	9	0%
Other Race Alone	14	0%
Two or More Races Alone	263	4%

Population by Sex	Number	Percent
Male	3,818	53%
Female	3,429	47%

Population by Age	Number	Percent
Age 0-4	283	4%
Age 0-17	868	12%
Age 18+	6,379	88%
Age 65+	458	6%

Households by Tenure	Number	Percent
Total	3,340	
Owner Occupied	926	28%
Renter Occupied	2,414	72%

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

Source: U.S. Census Bureau, Census 2010 Summary File 1.



EJSCREEN ACS Summary Report



Location: User-specified polygonal location
 Ring (buffer): 0.5-miles radius
 Description: Meador & James

Summary of ACS Estimates		2016 - 2020
Population		7,949
Population Density (per sq. mile)		5,249
People of Color Population		1,652
% People of Color Population		21%
Households		3,446
Housing Units		3,623
Housing Units Built Before 1950		1,405
Per Capita Income		25,810
Land Area (sq. miles) (Source: SF1)		1.51
% Land Area		96%
Water Area (sq. miles) (Source: SF1)		0.06
% Water Area		4%

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	7,949	100%	745
Population Reporting One Race	7,476	94%	1,332
White	6,903	87%	668
Black	164	2%	93
American Indian	55	1%	140
Asian	240	3%	150
Pacific Islander	14	0%	27
Some Other Race	100	1%	254
Population Reporting Two or More Races	473	6%	166
Total Hispanic Population	839	11%	298
Total Non-Hispanic Population	7,110		
White Alone	6,297	79%	638
Black Alone	149	2%	93
American Indian Alone	55	1%	140
Non-Hispanic Asian Alone	239	3%	150
Pacific Islander Alone	14	0%	27
Other Race Alone	3	0%	18
Two or More Races Alone	353	4%	155
Population by Sex			
Male	4,386	55%	633
Female	3,563	45%	403
Population by Age			
Age 0-4	175	2%	131
Age 0-17	748	9%	235
Age 18+	7,201	91%	735
Age 65+	609	8%	137

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2016 - 2020



EJSCREEN ACS Summary Report



Location: User-specified polygonal location

Ring (buffer): 0.5-miles radius

Description: Meador & James

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	4,347	100%	441
Less than 9th Grade	50	1%	43
9th - 12th Grade, No Diploma	257	6%	103
High School Graduate	876	20%	174
Some College, No Degree	895	21%	155
Associate Degree	476	11%	198
Bachelor's Degree or more	1,793	41%	264
Population Age 5+ Years by Ability to Speak English			
Total	7,773	100%	745
Speak only English	7,255	93%	736
Non-English at Home ¹⁺²⁺³⁺⁴	518	7%	250
¹ Speak English "very well"	353	5%	136
² Speak English "well"	109	1%	103
³ Speak English "not well"	29	0%	182
⁴ Speak English "not at all"	27	0%	66
³⁺⁴ Speak English "less than well"	56	1%	182
²⁺³⁺⁴ Speak English "less than very well"	165	2%	200
Linguistically Isolated Households*			
Total	49	100%	45
Speak Spanish	13	26%	27
Speak Other Indo-European Languages	13	26%	30
Speak Asian-Pacific Island Languages	24	49%	34
Speak Other Languages	0	0%	13
Households by Household Income			
Household Income Base	3,446	100%	235
< \$15,000	653	19%	132
\$15,000 - \$25,000	317	9%	76
\$25,000 - \$50,000	912	26%	166
\$50,000 - \$75,000	610	18%	149
\$75,000 +	955	28%	213
Occupied Housing Units by Tenure			
Total	3,446	100%	235
Owner Occupied	824	24%	230
Renter Occupied	2,622	76%	172
Employed Population Age 16+ Years			
Total	7,280	100%	745
In Labor Force	5,062	70%	691
Civilian Unemployed in Labor Force	234	3%	111
Not In Labor Force	2,218	30%	258

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of anyrace.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS)

*Households in which no one 14 and over speaks English "very well" or speaks English only.



EJSCREEN ACS Summary Report



Location: User-specified polygonal location

Ring (buffer): 0.5-miles radius

Description: Meador & James

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	6,694	100%	898
English	6,144	92%	937
Spanish	299	4%	282
French, Haitian, or Cajun	48	1%	37
German or other West Germanic	54	1%	80
Russian, Polish, or Other Slavic	12	0%	30
Other Indo-European	42	1%	90
Korean	4	0%	18
Chinese (including Mandarin, Cantonese)	37	1%	48
Vietnamese	4	0%	32
Tagalog (including Filipino)	11	0%	29
Other Asian and Pacific Island	16	0%	30
Arabic	0	0%	18
Other and Unspecified	24	0%	38
Total Non-English	550	8%	1,298

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
 N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2016 - 2020.
 *Population by Language Spoken at Home is available at the census tract summary level and up.



EJScreen Report (Version 2.1)



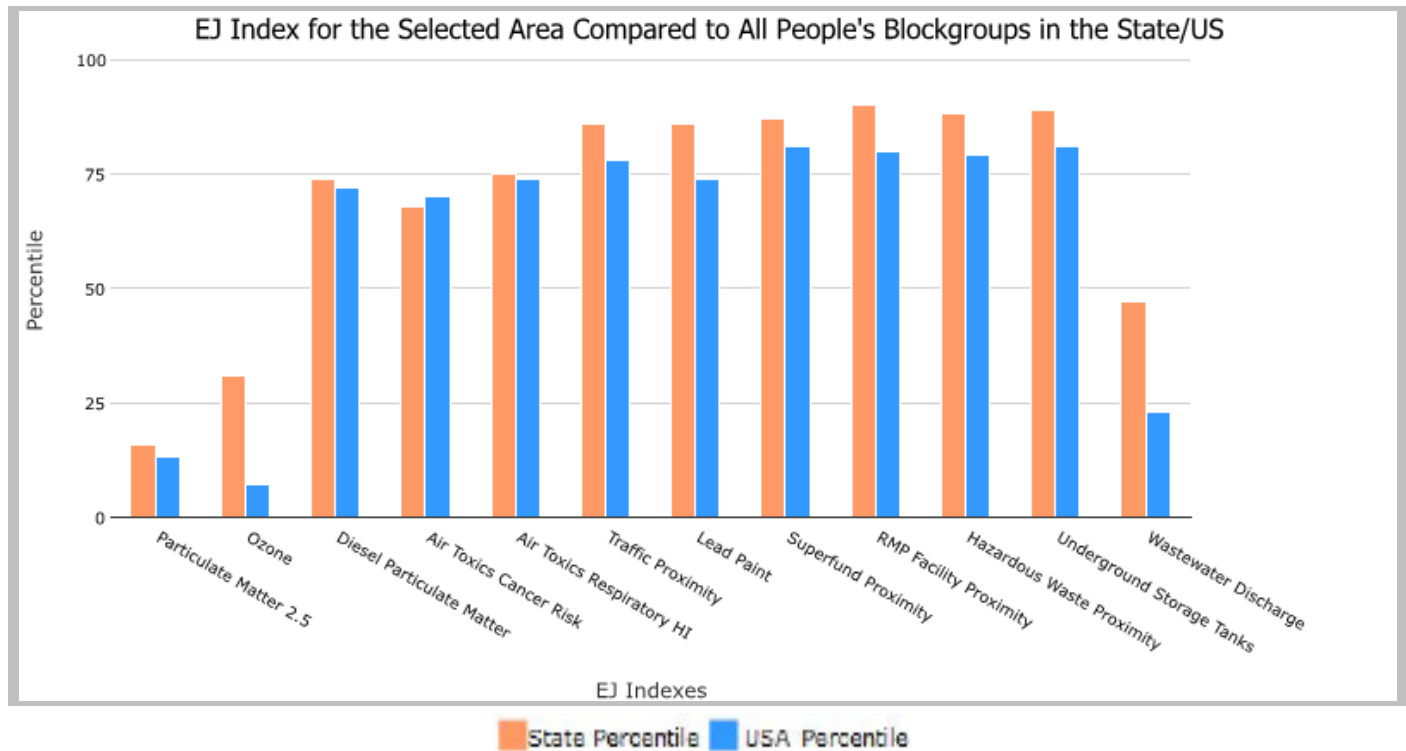
0.5 miles Ring around the Area, WASHINGTON, EPA Region 10

Approximate Population: 7,949

Input Area (sq. miles): 1.51

Meador & James

Selected Variables	State Percentile	USA Percentile
Environmental Justice Indexes		
EJ Index for Particulate Matter 2.5	16	13
EJ Index for Ozone	31	7
EJ Index for Diesel Particulate Matter*	74	72
EJ Index for Air Toxics Cancer Risk*	68	70
EJ Index for Air Toxics Respiratory HI*	75	74
EJ Index for Traffic Proximity	86	78
EJ Index for Lead Paint	86	74
EJ Index for Superfund Proximity	87	81
EJ Index for RMP Facility Proximity	90	80
EJ Index for Hazardous Waste Proximity	88	79
EJ Index for Underground Storage Tanks	89	81
EJ Index for Wastewater Discharge	47	23



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.



EJScreen Report (Version 2.1)

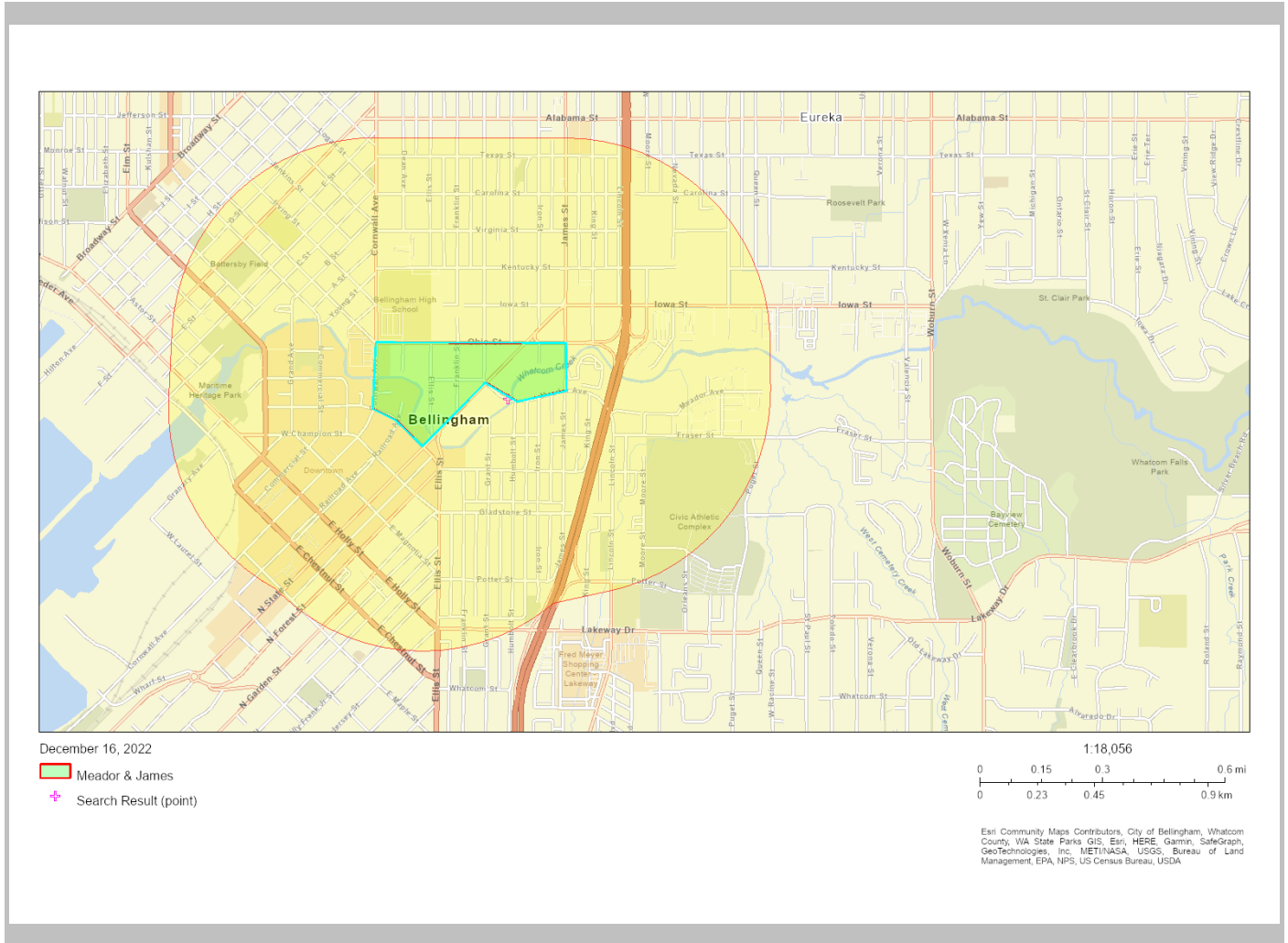


0.5 miles Ring around the Area, WASHINGTON, EPA Region 10

Approximate Population: 7,949

Input Area (sq. miles): 1.51

Meador & James



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	2



EJScreen Report (Version 2.1)



0.5 miles Ring around the Area, WASHINGTON, EPA Region 10

Approximate Population: 7,949

Input Area (sq. miles): 1.51

Meador & James

Selected Variables	Value	State Avg.	%ile in State	USA Avg.	%ile in USA
Pollution and Sources					
Particulate Matter 2.5 ($\mu\text{g}/\text{m}^3$)	6.22	7.85	7	8.67	6
Ozone (ppb)	31.3	35.3	16	42.5	4
Diesel Particulate Matter* ($\mu\text{g}/\text{m}^3$)	0.351	0.334	55	0.294	70-80th
Air Toxics Cancer Risk* (lifetime risk per million)	33	35	59	28	80-90th
Air Toxics Respiratory HI*	0.5	0.51	72	0.36	95-100th
Traffic Proximity (daily traffic count/distance to road)	1800	740	89	760	89
Lead Paint (% Pre-1960 Housing)	0.45	0.22	80	0.27	70
Superfund Proximity (site count/km distance)	0.27	0.18	84	0.13	90
RMP Facility Proximity (facility count/km distance)	3.1	0.64	96	0.77	95
Hazardous Waste Proximity (facility count/km distance)	5.4	2.2	89	2.2	89
Underground Storage Tanks (count/km ²)	30	6.3	95	3.9	98
Wastewater Discharge (toxicity-weighted concentration/m distance)	1.1E-05	0.021	43	12	18
Socioeconomic Indicators					
Demographic Index	37%	28%	76	35%	61
People of Color	21%	33%	38	40%	40
Low Income	53%	24%	92	30%	83
Unemployment Rate	5%	5%	59	5%	56
Limited English Speaking Households	2%	4%	57	5%	61
Less Than High School Education	7%	8%	57	12%	44
Under Age 5	2%	6%	19	6%	23
Over Age 64	8%	15%	19	16%	18

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

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.

Bellingham School District

2021-22

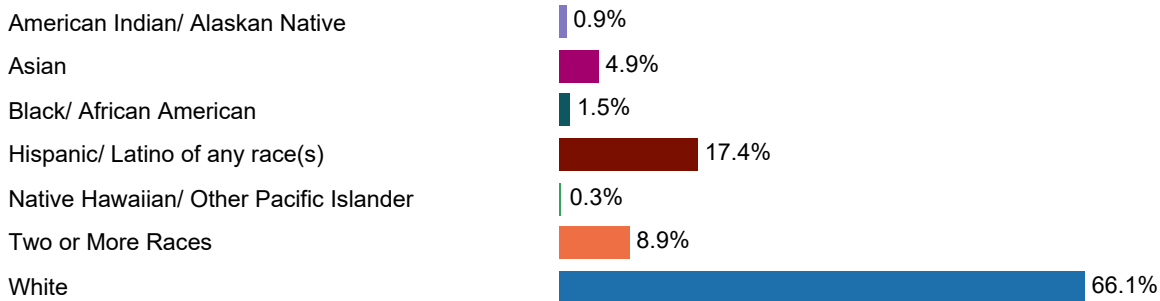
Total Student Enrollment

11,500

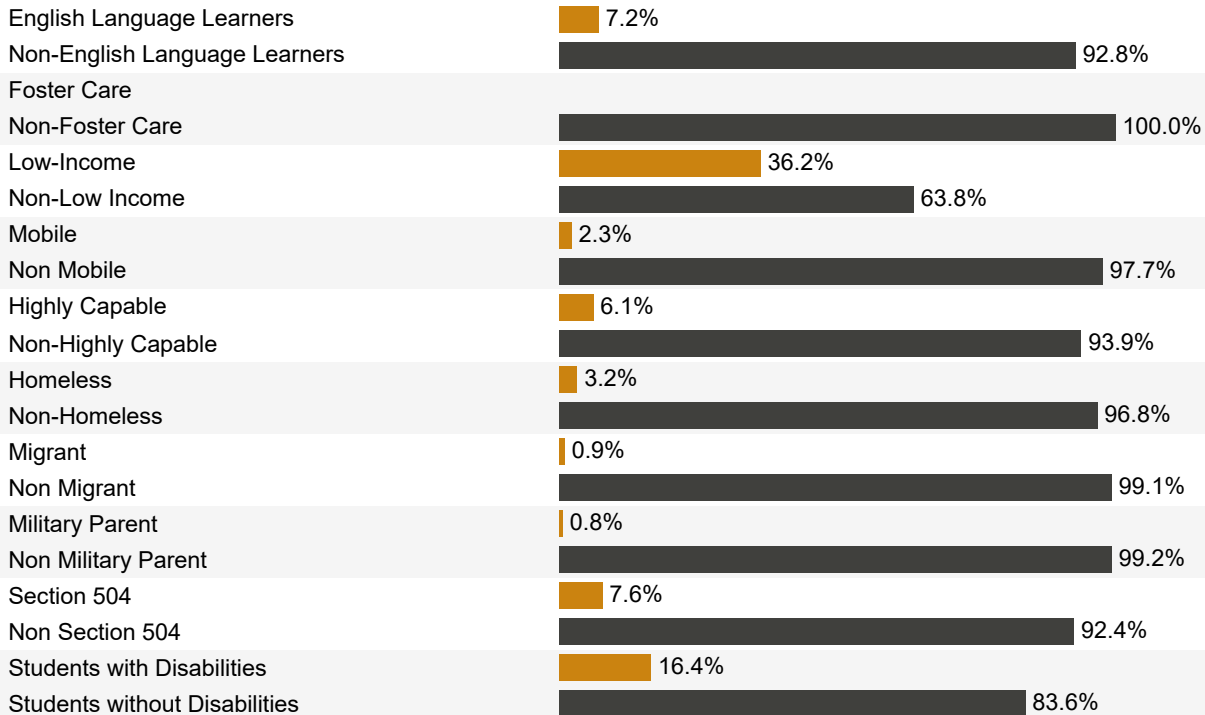
Gender



Race/Ethnicity



Program and Characteristic



Organization Name	organization ID	School Year	Student Group	Student Group Type	Number Students	% of Total Students
Bellingham School District	100020	2021-22	All Students	AllStudents	11,500	100.0%
Bellingham School District	100020	2021-22	Female	gendertypeid	5,426	47.2%
Bellingham School District	100020	2021-22	Gender X	gendertypeid	75	0.7%
Bellingham School District	100020	2021-22	Male	gendertypeid	5,999	52.2%
Bellingham School District	100020	2021-22	American Indian/ Alaskan Native	federalethracerollupcode	101	0.9%
Bellingham School District	100020	2021-22	Asian	federalethracerollupcode	567	4.9%
Bellingham School District	100020	2021-22	Black/ African American	federalethracerollupcode	168	1.5%
Bellingham School District	100020	2021-22	Hispanic/ Latino of any race(s)	federalethracerollupcode	2,006	17.4%
Bellingham School District	100020	2021-22	Native Hawaiian/ Other Pacific Islander	federalethracerollupcode	33	0.3%
Bellingham School District	100020	2021-22	Two or More Races	federalethracerollupcode	1,023	8.9%
Bellingham School District	100020	2021-22	White	federalethracerollupcode	7,602	66.1%
Bellingham School District	100020	2021-22	English Language Learners	ELL	823	7.2%
Bellingham School District	100020	2021-22	Non-English Language Learners	ELL	10,677	92.8%
Bellingham School District	100020	2021-22	Foster Care	Foster		0.0%
Bellingham School District	100020	2021-22	Non-Foster Care	Foster	11,459	99.6%
Bellingham School District	100020	2021-22	Low-Income	FRL	4,161	36.2%
Bellingham School District	100020	2021-22	Non-Low Income	FRL	7,339	63.8%
Bellingham School District	100020	2021-22	Mobile	FullAcademicYear	268	2.3%
Bellingham School District	100020	2021-22	Non Mobile	FullAcademicYear	11,232	97.7%
Bellingham School District	100020	2021-22	Highly Capable	HiCAP	706	6.1%
Bellingham School District	100020	2021-22	Non-Highly Capable	HiCAP	10,794	93.9%
Bellingham School District	100020	2021-22	Homeless	homeless	370	3.2%
Bellingham School District	100020	2021-22	Non-Homeless	homeless	11,130	96.8%
Bellingham School District	100020	2021-22	Migrant	Migrant	102	0.9%
Bellingham School District	100020	2021-22	Non Migrant	Migrant	11,398	99.1%
Bellingham School District	100020	2021-22	Military Parent	MilitaryFamily	92	0.8%
Bellingham School District	100020	2021-22	Non Military Parent	MilitaryFamily	11,408	99.2%
Bellingham School District	100020	2021-22	Section 504	Section504	876	7.6%
Bellingham School District	100020	2021-22	Non Section 504	Section504	10,624	92.4%
Bellingham School District	100020	2021-22	Students with Disabilities	SWD	1,881	16.4%
Bellingham School District	100020	2021-22	Students without Disabilities	SWD	9,619	83.6%

James/Bakerview Intersection Reconstruction Project
STPUS-5550(002)
Environmental Justice Analysis Documentation Memorandum

March 30, 2023

An Environmental Justice Analysis was conducted for the James-Bakerview Intersection Reconstruction (JBI) Project for compliance with the following:

- Presidential Executive Order 12898;
- DOT Order 5610.2;
- FHWA Order 6640.23;
- Section 109(h) of the Federal Aid Highway Act requires an assessment of the “social, economic, and environmental impacts” under NEPA;
- The state SEPA policy, identified the need for agencies to consider how best to “foster and promote the general welfare, ... and fulfill the social, economic, and other requirements of present and future generations” when taking actions; and
- Nondiscrimination requirements of: Title VI of the Civil Rights Act; Americans with Disabilities Act (ADA); and, the Age Discrimination Act require Washington State Department of Transportation (WSDOT) to protect the civil rights of all people affected by our projects by making a concerted effort to engage minority, low income and Limited English Proficient (LEP) populations in the project development process.

The results of the Demographic Data indicate that there are low income/minority populations within 0.5 miles of the project site boundary, right-of-way acquisition will be required for the completion of this project, and temporary impacts will occur during construction. The following analysis complies with approved WSDOT guidance and procedures.

Project Description

At the intersection of James Street and Bakerview Road the project will construct a one-lane roundabout, with additional right-turn lanes on three of the approaches. Construction will include sidewalks, bicycle lanes, and fully accessible ADA compliant crossings. The project will look to greatly improve vehicle, pedestrian and bicycle safety since the intersection currently experiences significant traffic volumes and higher speeds with a lack of sidewalks and pedestrian and bicycle crossings. Construction will aim to decrease intersection congestion as well as improve the area for truck traffic, which is prevalent due to the Irongate Industrial area.

Demographics Data

Demographic and income information were obtained from the EJSCREEN of the EPA’s website. The sources indicate the presence of minority and low-income populations within 0.5 miles of the JBI Project.

The following summarizes the data analyses consistent with TSK 458-b.

2010 Census Data

- The population within 0.5 miles of the project site is estimate at 1,178 people.
- The overall minority population is 334, which is 28% of the population.
- The number of elderly (age 65+) is 255, which is 22% of the population.

- Details of the minority population are provided in the attached **Attachment 5**, EJSCREEN Census 2010 Summary Report.

ACS Summary Report

- There are 821 households in within 0.5 miles of the project site.
- Of the 821 households, 242 households (30%) are estimated to earn less than \$25,000. (Note: The U.S. Department of Health and Human Services estimates the 2023 poverty level for a 4-person household to be \$30,000 per <https://aspe.hhs.gov/computations-2016-poverty-guidelines>).
- The population age 5+ years within 0.5 miles of the project site is estimated at 1,899 people.
- Of that population, 211 (11%) is estimated to speak English “less than very well”.

The ACS Summary Report indicates that greater than 5 percent of more of the population within 1/2 mile of the project speak English “less than very well,” therefore it is required to provide equal access to project information in other languages. This may be accomplished by:

- Posting a notice on the project web page in the appropriate language(s).
- Printing and distributing translated project brochures, meeting invitations, and newsletters in the appropriate languages(s). The City does not need to translate all the documents for the project if the City provides a way to people to request that information translated.
- Providing translator or interpreter services upon request. (Note: Contact the Office of Equal Opportunity at (360)705-7090 for assistance with this matter.)

Details of the American Community Survey Summary Report are provided in the attached **Attachment 4**, EJSCREEN ACS Summary Report.

Verify Census Data

The closest elementary school to the project site is Parkview Elementary School. The Office of Superintendent of Public Instruction (OSPI) Washington State Report Card was obtained for Parkview Elementary School. The 2022-23 Enrollment Summary is included as **Attachment 6**. The minority population at the school is 24.7% which is close to the percent people of color population of 28% identified in the 2010 Census Data. According to the summary table below, the percentages by race are all within 5% of each other between the OSPI Report Card and the 2010 Census Data, except for Asian which differs by 9%. In reviewing the project site, it is approximately 1.3 miles from Parkview Elementary School and the School is located within a more densely populated area than the project site. These factors likely play a role in the differences between the 2010 Census Data and OSPI Report Card for Asian population.

Demographic	2010 Census	Parkview	Delta
	Data	Elem.	
White	72%	75.3%	-2%
Black	1%	1.0%	0%
American Indian	1%	0.3%	1%
Asian	13%	4.3%	9%
Pacific Islander	0%	N/A	N/A
Hispanic	9%	12.6%	-4%
Some Other Race	0%	N/A	N/A
More than One Race	4%	6.5%	-3%

Verify Income Data

According to the OSPI report card for Parkview Elementary, 32.2% of the students are low-income. This compares to the ACS data which estimates 30% of households earn less than \$25,000. The difference of 2.2% is less than 5%.

Project Effects – Right-of-Way Acquisition

Right-of-way acquisitions will occur in all four quadrants of the intersection in order to construct the proposed roundabout project. The acquisitions generally require acquiring corners of properties, which is common due to the layout of roundabouts. The properties in the northwest (NW), northeast (NE), and southeast (SE) portions are currently single-family residences, while the property in the southwest (SW) is a business. Acquisition will not require the relocation of residences, businesses or community services. Acquisitions will not affect the structures. Acquisitions will not change the driveway locations and methods of accessing properties. The following table summarizes the acquisition areas.

Parcel No.	Taxpayer / Owner	Existing Parcel Area (sf)	Estimated Acquisition Area (sf)	Remainder (sf)	Estimated Acquisition Area (%)
3803170325290000	FILIPPINI, LLC & DCI VENTURES, LLC	349,002	18,637	330,365	5.34%
3803080390690000	GREENBRIAR CONSTRUCTION CORP	632,056	7,641	624,415	1.21%
3803075370210000	CAROLYN C KEENAN	103,237	29,564	73,673	28.64%
3803185525500000	GARSTA LLC	25,701	553	25,148	2.15%

Project Effects – Short Term Impacts

The project will have temporary, short-term proximity impacts on properties adjacent and near the project site during construction. Minority and low-income populations are known to be near the project area. This project will have unavoidable, short-term effects from construction for:

- noise and vibration impacts;
- air quality impacts from construction equipment;
- air quality impacts from minor dust;
- access impact to the chiropractic business at the SW quadrant of the intersection (access is from James Street);
- access impact to the Telnet business just west of the chiropractic office (access is from E Bakerview Street);
- utility service impacts for utility relocations; and
- transportation impacts (all modes of transportation).

As mentioned, these impacts are unavoidable and short-term to construct this important safety project. The proposed James/Bakerview Intersection Reconstruction Project is the least-cost and preferred alternative to provide the desired level of safety improvements to the intersection.

During construction Best Management Practices (BMP’s) will be in place to control dust by the contractor. The noise will be in strict compliance with the City of Bellingham’s municipal code requirements.

The intersection is expected to remain open without a detour for most of the construction, however a short, temporary detour will be required at one phase of construction to construct the improvements on the north leg of the intersection. This detour/closure is unavoidable. Using Google Maps, the estimated detour route will increase travel time for vehicles along the detour by approximately 1 to 2 minutes. Traffic will be controlled by the contractor in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). All businesses and residences will remain open and accessible during construction.

All populations will benefit from the intersection improvements, and the opportunities it presents for improved safety, traffic flow, emergency vehicle response times, bicycle and pedestrian provisions, public transit efficiency and truck route improvements. Thus, there will be no disproportionately high or adverse short-term impacts on EJ populations, as all populations will be affected equally.

Project Effects – Long-Term Impacts

There are no anticipated long-term, adverse effects from the proposed project.

The project does not aim to add any additional capacity, rather increase the safety and functionality of the intersection, therefore noise levels will not be expected to increase between pre- and post- construction conditions. Air quality is not expected to be degraded between pre- and post- construction conditions.

This project will not permanently change travel patterns for vehicles, commuters, transit, bicycles, or pedestrians. This project will improve travel by improving traffic flow, reducing queuing times and improving pedestrian and bicyclist safety. Construction will also improve truck traffic through the intersection from and to the nearby Irongate Industrial area.

Access to and from residences businesses will be maintained.

The project is not expected to reduce community cohesion and it will not reduce access to public services.

The project will not impact Section 4(f) properties.

Determination

No minority or low-income populations have been identified that would be adversely affected by this project as determined above. Improvements will benefit all populations within the project boundary the same; no disproportionate or adverse impacts are anticipated for minority populations only. The project will involve some right-of-way acquisition; however, this is dependent on location along the project boundary, not the demographic of the person(s) from which right-of-way will be purchased. Additionally, the right-of-way acquisitions are the minimum areas necessary to construct the JBI project improvements. Therefore, this project has met the provisions of:

- Presidential Executive Order 12898;
- DOT Order 5610.2, FHWA Order 6640.23;
- Section 109(h) of the Federal Aid Highway Act;
- State SEPA policy; and
- Nondiscrimination requirements of: Title VI of the Civil Rights Act; Americans with Disabilities Act (ADA); and, the Age Discrimination Act require Washington State Department of Transportation (WSDOT) to protect the civil rights of all people affected by our projects by making a concerted effort to engage minority, low income and Limited English Proficient (LEP) populations in the project development process.

Prepared by:

RH2 Engineering, Inc.

4164 Meridian Street, Suite 302

Bellingham, WA 98226



Orin Paul

Project Manager

Attachments:

- 1) Social and Community Impacts Decision Matrix
- 2) Project Alignment
- 3) EJSCREEN Summary Map
- 4) EJSCREEN ACS Summary Report
- 5) EJSCREEN Census 2010 Summary Report
- 6) Parkview Elementary – Enrollment Summary

ATTACHMENT 1

SOCIAL & COMMUNITY IMPACTS DECISION MATRIX

The following decision matrix is an approach that uses a series of questions with Yes/No answers to provide direction on when additional analysis and documentation is appropriate for a proposed project. If additional documentation is necessary, consider all potential sources of impacts to protected populations in the analysis.

- 1) Are any protected populations present within the proposed limits of the project's impacts?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. No further analysis is required.

Yes – Proceed to question 2.

- 2) Does the project require permanent right-of-way acquisition?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. No further analysis is required.

Yes – Proceed to question 3.

- 3) Does the proposed project require any relocation of real and/or personal property?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. Proceed to question 4.

Yes – An EJ memo is likely required. If so, describe the project impacts and analyze their severity. Proceed to question 5.

- 4) Does the permanent right of way acquisition require more than 10 percent of any parcel?

No – Document findings on CE documentation form and include demographic data; findings should be confirmed by using at least two information sources. No further analysis is required.

Yes – Proceed to question 5.

- 5) Does the proposed project require displacement of more than 10 residences or businesses?

No – An EJ memo is required. Describe and analyze the proposed project's potential impacts in the form of an EJ Memo.

Yes – This project will require a discipline report and public outreach to make an environmental justice determination.

Contact:

WSDOT NEPA/SEPA Program

NEPA-SEPA@wsdot.wa.gov

Effective Date: November 2021 (contact updated November 2022)

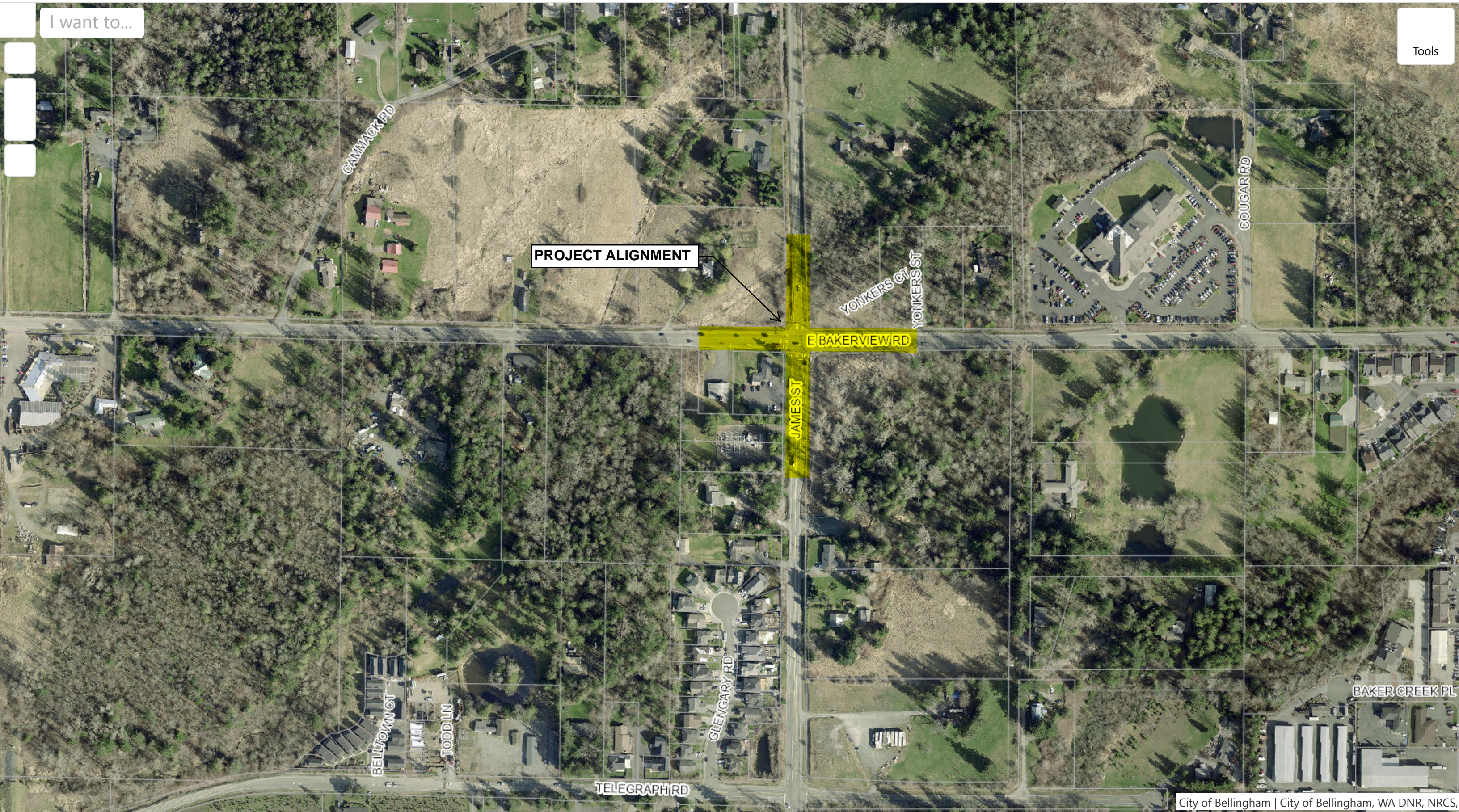
ATTACHMENT 2

Search...

Sign in

I want to...

Tools



PROJECT ALIGNMENT

JAMES ST

E BAKERVIEW RD

CANMACK RD

YONKERS ST

COUGAR RD

BELLTOWN CT

TODD LN

GLENGARY RD

TELEGRAPH RD

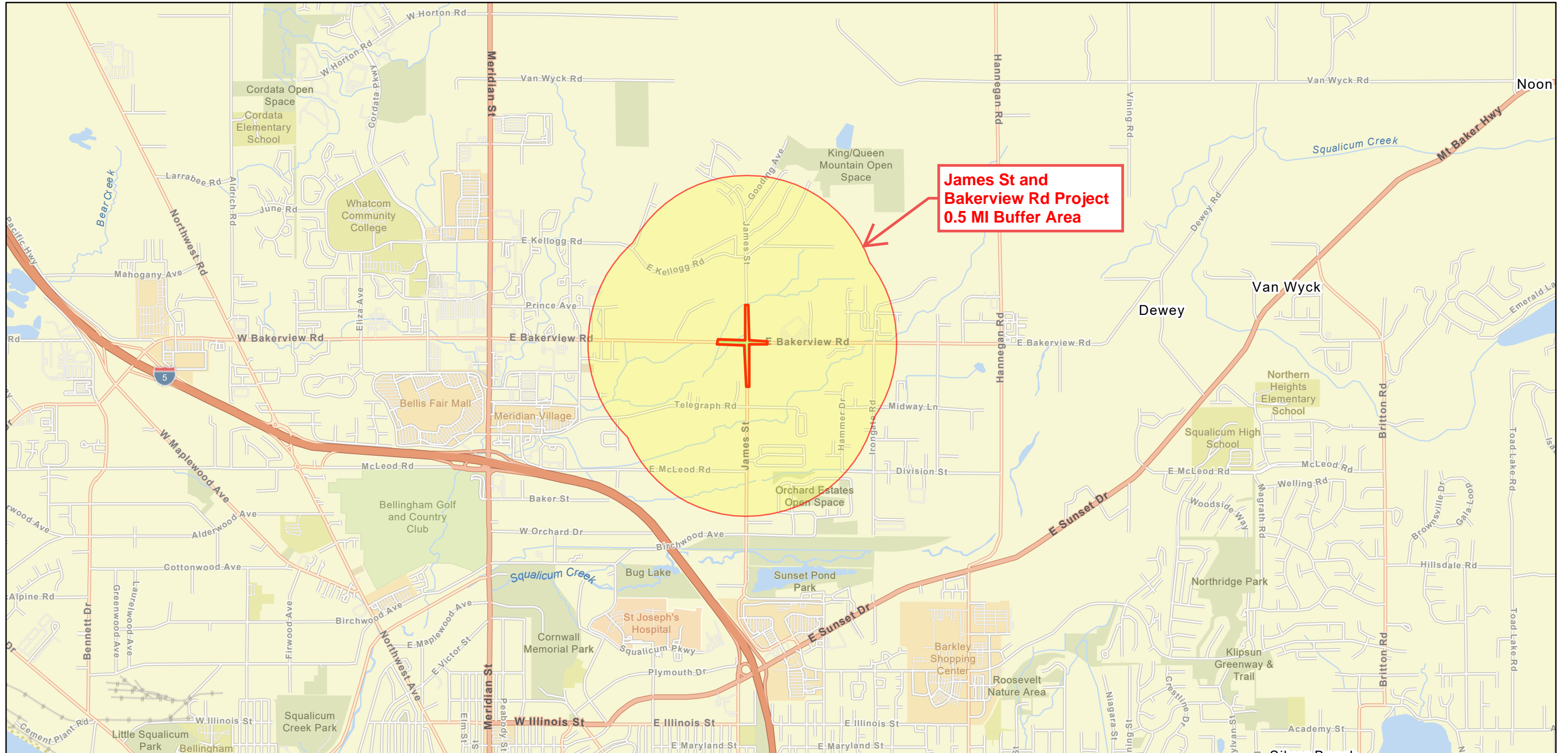
BAKER CREEK PL

City of Bellingham | City of Bellingham, WA DNR, NRCS,



Photo

ATTACHMENT 3

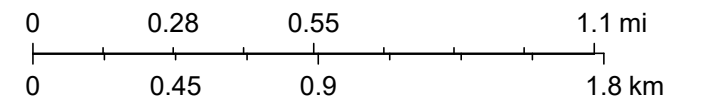


**James St and
Bakerview Rd Project
0.5 MI Buffer Area**

3/30/2023

 James St and Bakerview Rd Intersection Reconstruction

1:36,112



City of Bellingham, Whatcom County, WA State Parks GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

ATTACHMENT 4



EJSCREEN ACS Summary Report



Location: User-specified polygonal location

Ring (buffer): 0.5-miles radius

Description: James St and Bakerview Rd Intersection Reconstruction

Summary of ACS Estimates		2016 - 2020
Population		2,006
Population Density (per sq. mile)		2,453
People of Color Population		891
% People of Color Population		44%
Households		821
Housing Units		843
Housing Units Built Before 1950		78
Per Capita Income		28,991
Land Area (sq. miles) (Source: SF1)		0.82
% Land Area		99%
Water Area (sq. miles) (Source: SF1)		0.00
% Water Area		1%

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	2,006	100%	672
Population Reporting One Race	1,875	93%	1,374
White	1,248	62%	524
Black	66	3%	132
American Indian	17	1%	80
Asian	356	18%	353
Pacific Islander	0	0%	13
Some Other Race	187	9%	272
Population Reporting Two or More Races	131	7%	235
Total Hispanic Population	353	18%	354
Total Non-Hispanic Population	1,653		
White Alone	1,116	56%	485
Black Alone	66	3%	132
American Indian Alone	17	1%	80
Non-Hispanic Asian Alone	356	18%	353
Pacific Islander Alone	0	0%	13
Other Race Alone	0	0%	13
Two or More Races Alone	98	5%	213
Population by Sex			
Male	911	45%	387
Female	1,095	55%	406
Population by Age			
Age 0-4	107	5%	128
Age 0-17	283	14%	220
Age 18+	1,724	86%	523
Age 65+	513	26%	278

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2016 - 2020.



EJSCREEN ACS Summary Report



Location: User-specified polygonal location

Ring (buffer): 0.5-miles radius

Description: James St and Bakerview Rd Intersection Reconstruction

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	1,244	100%	494
Less than 9th Grade	53	4%	116
9th - 12th Grade, No Diploma	95	8%	128
High School Graduate	363	29%	250
Some College, No Degree	117	9%	225
Associate Degree	114	9%	130
Bachelor's Degree or more	504	41%	276
Population Age 5+ Years by Ability to Speak English			
Total	1,899	100%	648
Speak only English	1,408	74%	572
Non-English at Home ¹⁺²⁺³⁺⁴	491	26%	365
¹ Speak English "very well"	280	15%	242
² Speak English "well"	75	4%	141
³ Speak English "not well"	136	7%	226
⁴ Speak English "not at all"	0	0%	13
³⁺⁴ Speak English "less than well"	136	7%	226
²⁺³⁺⁴ Speak English "less than very well"	211	11%	266
Linguistically Isolated Households*			
Total	67	100%	125
Speak Spanish	25	38%	120
Speak Other Indo-European Languages	37	56%	115
Speak Asian-Pacific Island Languages	4	6%	32
Speak Other Languages	0	0%	13
Households by Household Income			
Household Income Base	821	100%	273
< \$15,000	114	14%	166
\$15,000 - \$25,000	128	16%	167
\$25,000 - \$50,000	162	20%	218
\$50,000 - \$75,000	106	13%	182
\$75,000 +	311	38%	212
Occupied Housing Units by Tenure			
Total	821	100%	273
Owner Occupied	226	28%	227
Renter Occupied	595	72%	248
Employed Population Age 16+ Years			
Total	1,731	100%	532
In Labor Force	1,118	65%	503
Civilian Unemployed in Labor Force	32	2%	63
Not In Labor Force	613	35%	334

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of anyrace.

N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS)

*Households in which no one 14 and over speaks English "very well" or speaks English only.



EJSCREEN ACS Summary Report



Location: User-specified polygonal location

Ring (buffer): 0.5-miles radius

Description: James St and Bakerview Rd Intersection Reconstruction

	2016 - 2020 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	2,534	100%	796
English	1,966	78%	755
Spanish	131	5%	217
French, Haitian, or Cajun	28	1%	78
German or other West Germanic	26	1%	103
Russian, Polish, or Other Slavic	68	3%	225
Other Indo-European	27	1%	85
Korean	16	1%	67
Chinese (including Mandarin, Cantonese)	70	3%	148
Vietnamese	0	0%	18
Tagalog (including Filipino)	18	1%	78
Other Asian and Pacific Island	184	7%	320
Arabic	0	0%	18
Other and Unspecified	0	0%	18
Total Non-English	568	22%	1,097

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.
 N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2016 - 2020.
 *Population by Language Spoken at Home is available at the census tract summary level and up.

ATTACHMENT 5



EJSCREEN Census 2010 Summary Report



Location: User-specified polygonal location

Ring (buffer): 0.5-miles radius

Description: James St and Bakerview Rd Intersection Reconstruction

Summary	Census 2010
Population	1,178
Population Density (per sq. mile)	1,256
People of Color Population	334
% People of Color Population	28%
Households	468
Housing Units	501
Land Area (sq. miles)	0.94
% Land Area	100%
Water Area (sq. miles)	0.00
% Water Area	0%

Population by Race	Number	Percent
Total	1,178	-----
Population Reporting One Race	1,123	95%
White	897	76%
Black	20	2%
American Indian	12	1%
Asian	148	13%
Pacific Islander	5	0%
Some Other Race	42	4%
Population Reporting Two or More Races	55	5%
Total Hispanic Population	106	9%
Total Non-Hispanic Population	1,072	91%
White Alone	844	72%
Black Alone	17	1%
American Indian Alone	10	1%
Non-Hispanic Asian Alone	147	13%
Pacific Islander Alone	5	0%
Other Race Alone	4	0%
Two or More Races Alone	44	4%

Population by Sex	Number	Percent
Male	549	47%
Female	629	53%

Population by Age	Number	Percent
Age 0-4	79	7%
Age 0-17	219	19%
Age 18+	959	81%
Age 65+	255	22%

Households by Tenure	Number	Percent
Total	468	
Owner Occupied	191	41%
Renter Occupied	277	59%

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

Source: U.S. Census Bureau, Census 2010 Summary File 1.

Parkview Elementary School

2022-23

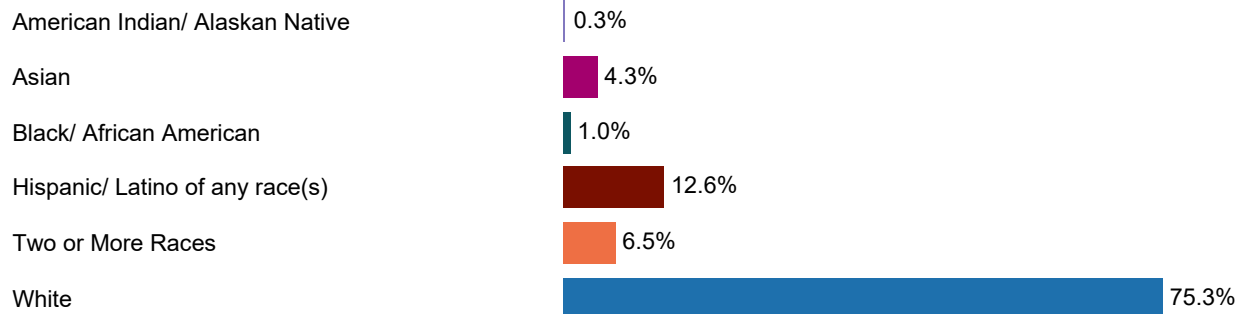
Total Student Enrollment

397

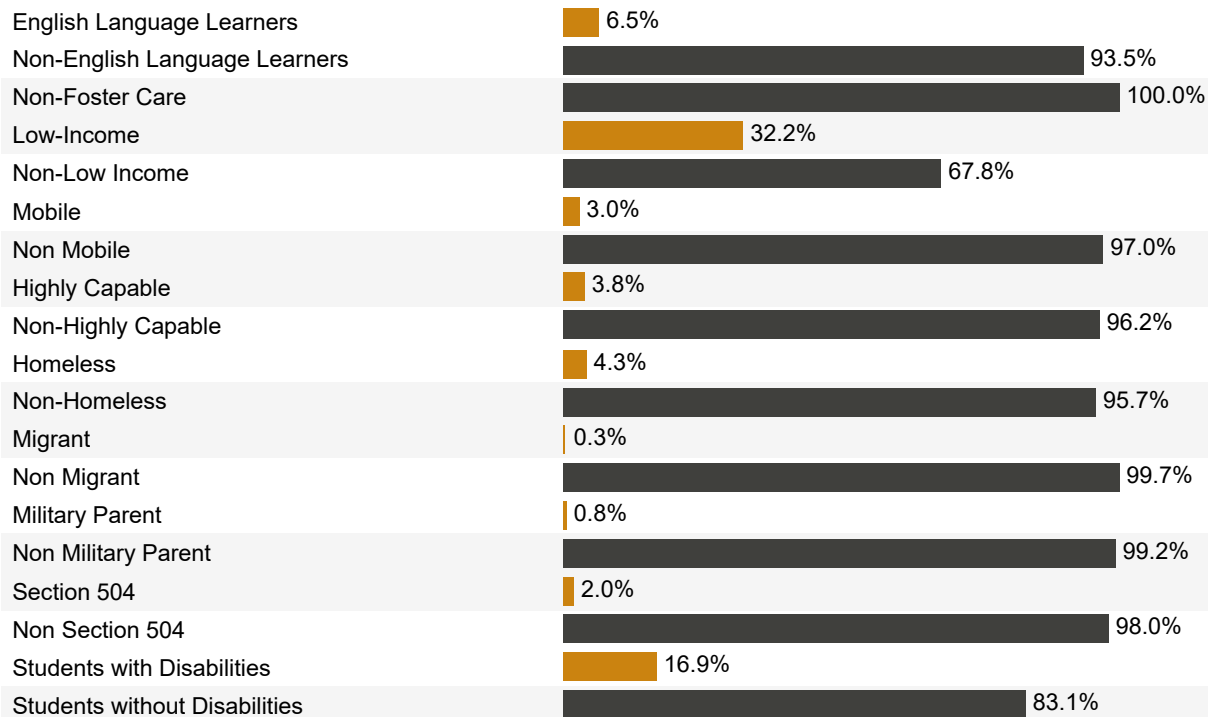
Gender



Race/Ethnicity



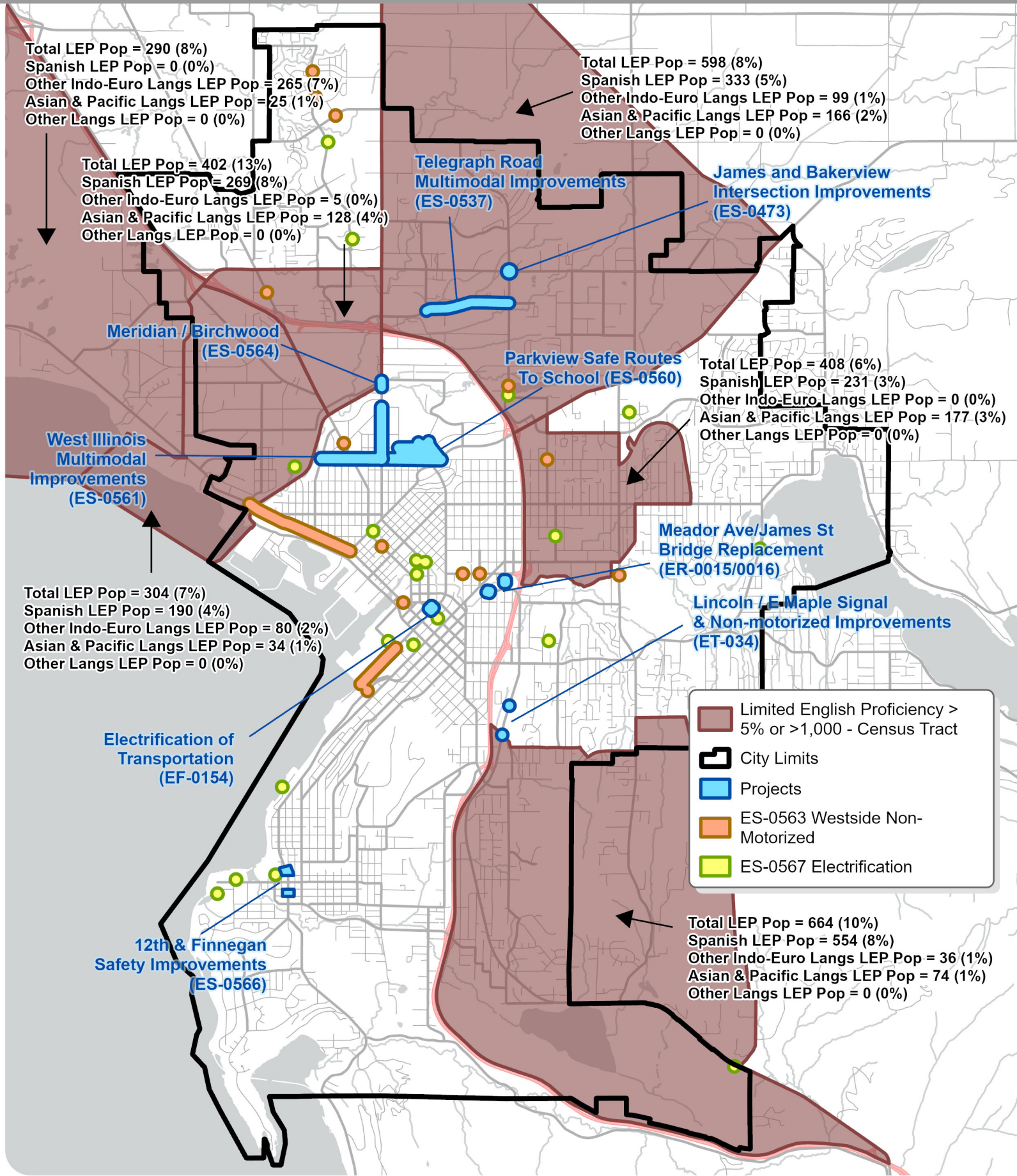
Program and Characteristic





Language

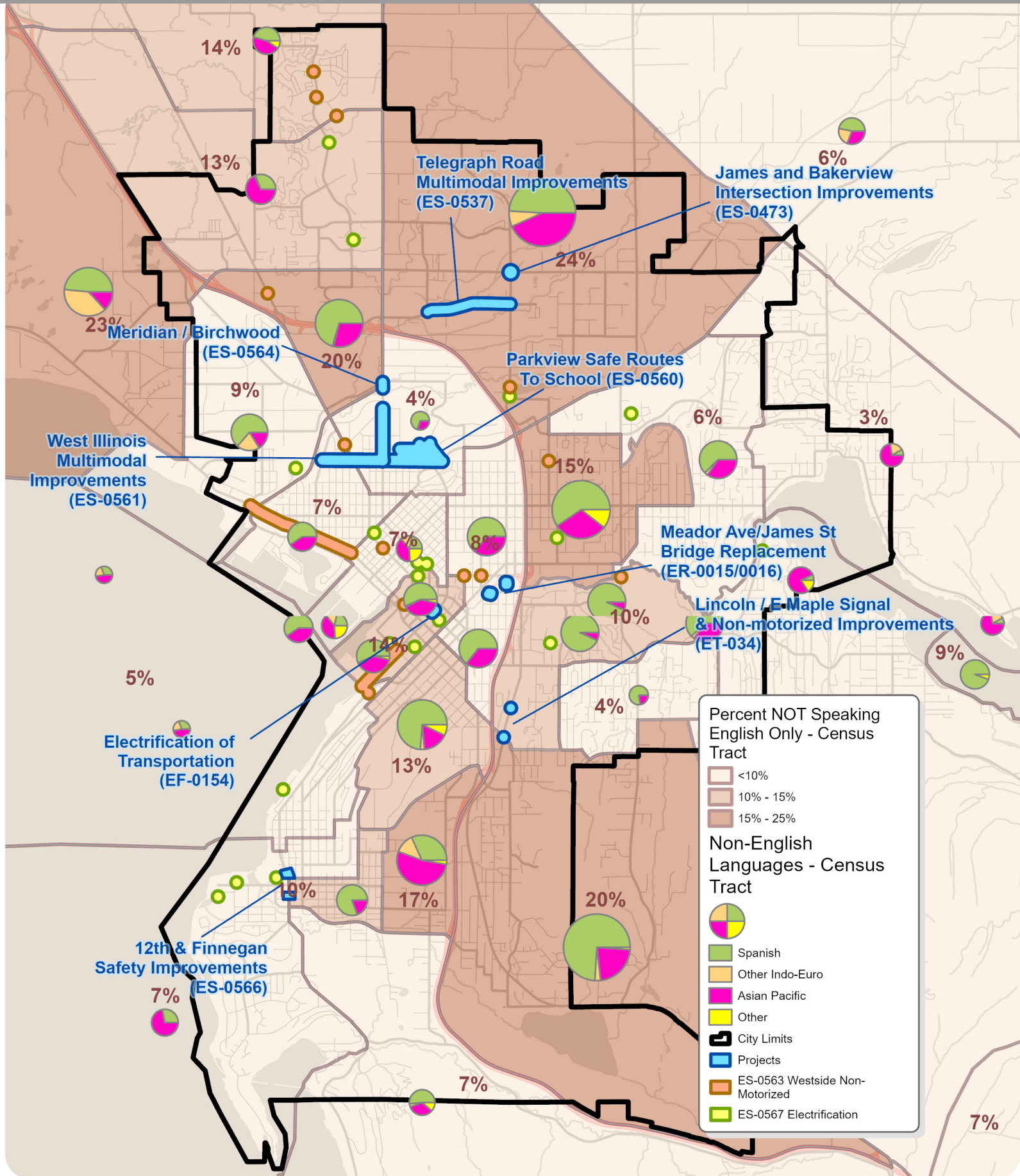
2022 ACS 5 Year Estimates





Language

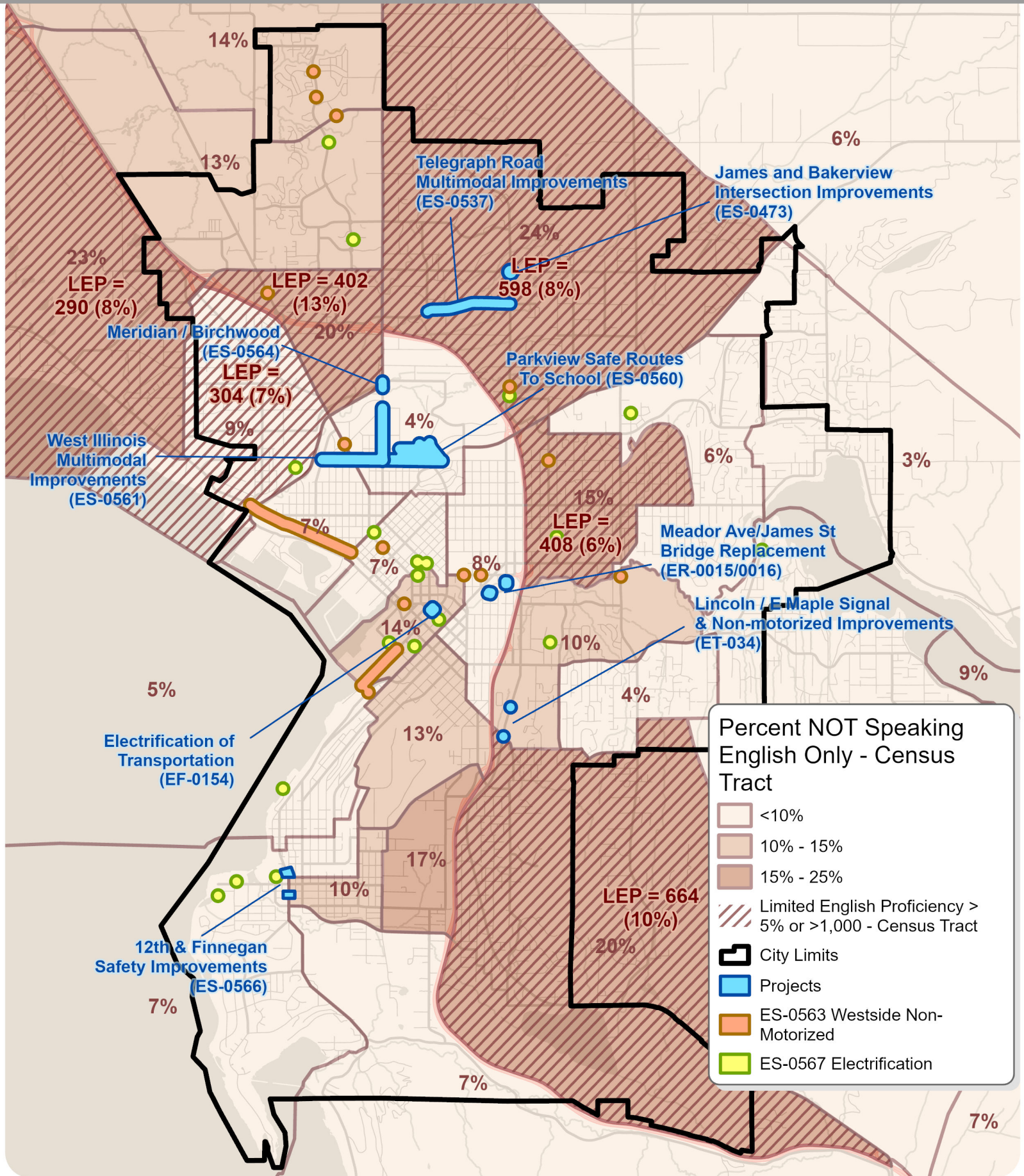
2022 ACS 5 Year Estimates





Language

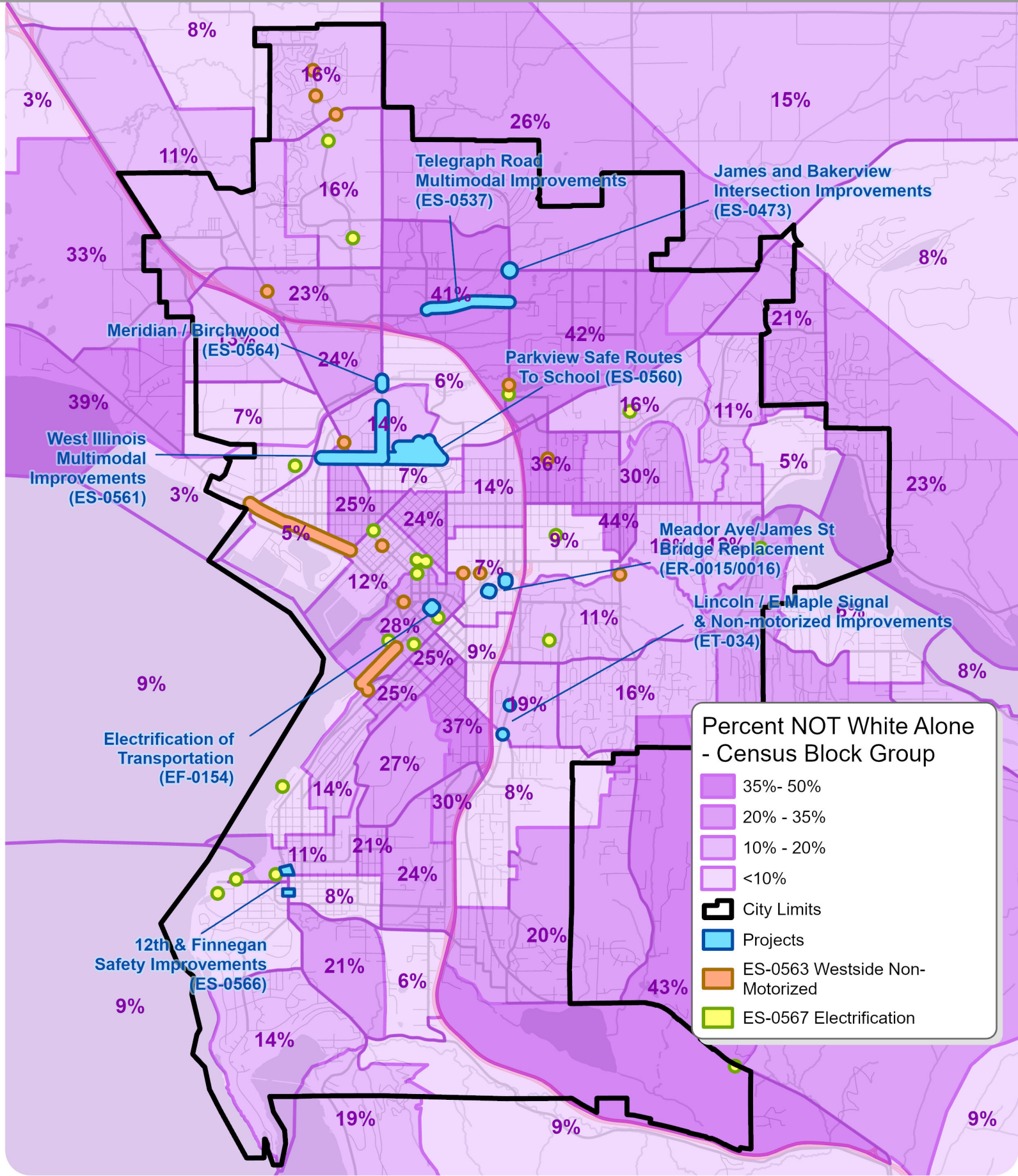
2022 ACS 5 Year Estimates





Racial Diversity

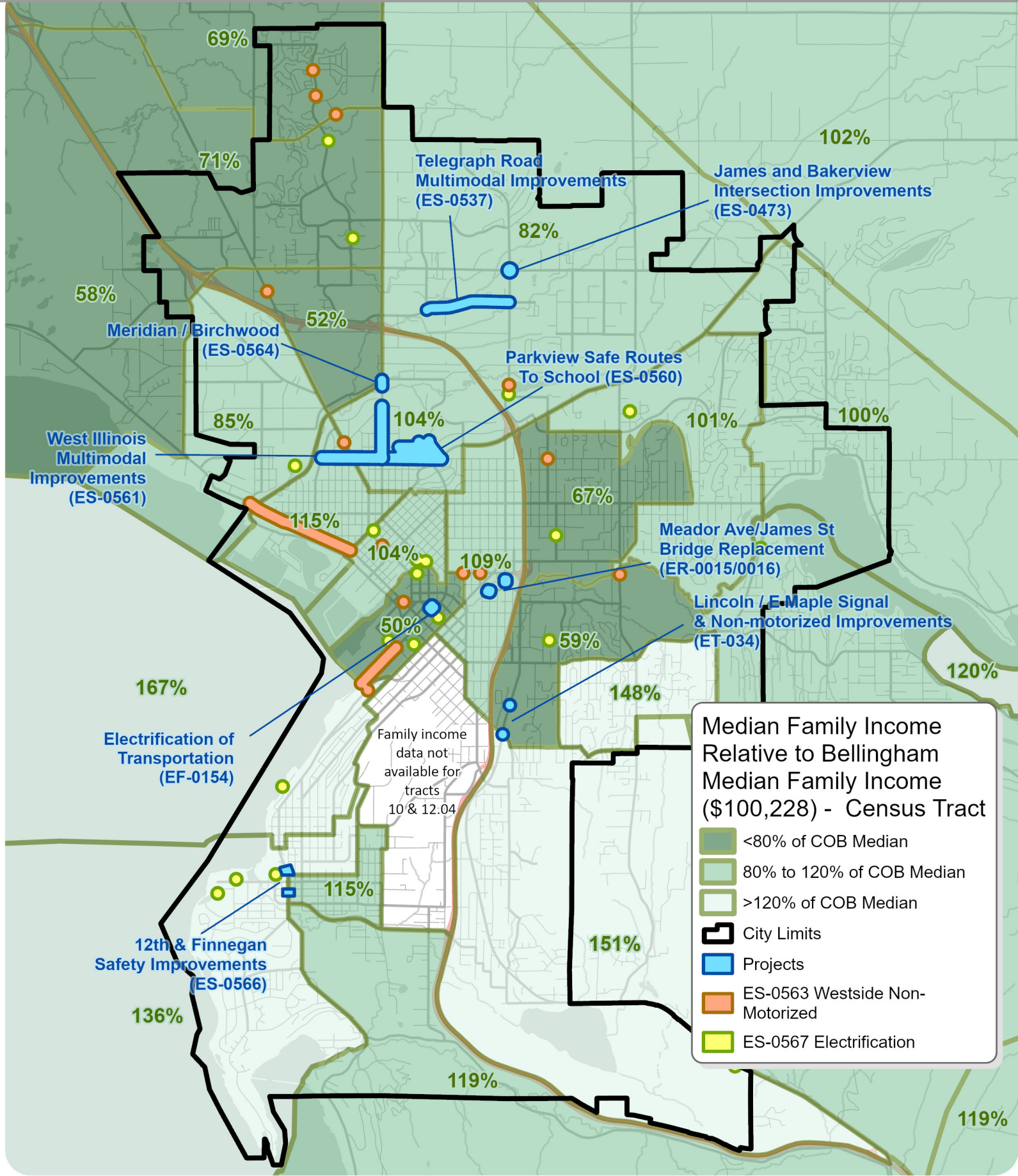
2022 ACS 5 Year Estimates





Family Income

2022 ACS 5 Year Estimates



The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination

Assurances

DOT Order No. 1050.2A

The City of Bellingham (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Washington State Department of Transportation (WSDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Washington State Department of Transportation.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard

to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of Bellingham, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

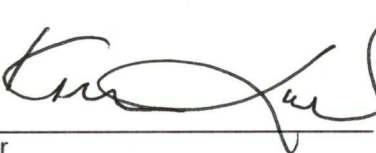
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

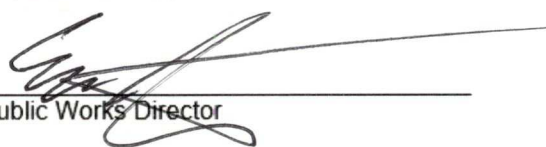
By signing this ASSURANCE, the City of Bellingham also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Washington State Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Washington State Department of Transportation. You must keep records, reports, and submit the material for review upon request to Washington State Department of Transportation, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The City of Bellingham gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration. This ASSURANCE is binding on Washington State Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

EXECUTED this 5th day of January, 2024 for the **CITY OF BELLINGHAM** by:



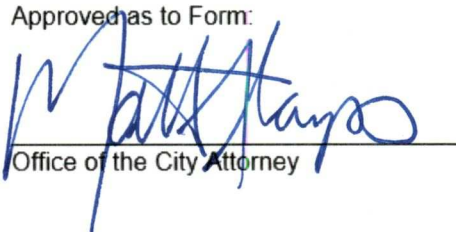
 Mayor

Departmental Approval:


 Public Works Director

Attest:


 Finance Director

Approved as to Form:


 Office of the City Attorney

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Washington State Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Washington State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Washington State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Washington State Department of Transportation may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Washington State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the City of Bellingham will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Washington State Department of Transportation, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Bellingham all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of Bellingham and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the City of Bellingham, its successors and assigns.

The City of Bellingham, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the City of Bellingham will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the City of Bellingham pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the City of Bellingham will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the City of Bellingham will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the City of Bellingham and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the City of Bellingham pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, the City of Bellingham will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the City of Bellingham will there upon revert to and vest in and become the absolute property of the City of Bellingham and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).