

5 Environmental Justice Compliance

This chapter describes the Southwest Light Rail Transit (LRT) Project's (the Project) compliance with applicable federal regulations for environmental justice (EJ) compliance. This chapter includes a review of the regulatory context and methodology; identification of minority and/or low-income populations (i.e., EJ populations); a description of opportunities provided to EJ populations to participate in the Southwest LRT Project planning process; an assessment of impacts that will affect EJ populations; and a project-wide EJ finding.

This chapter includes the following sections:

- 5.1 Regulatory Context and Methodology
- 5.2 Environmental Justice Populations
- 5.3 Public Involvement
- 5.4 Environmental Justice Analysis
- 5.5 Environmental Justice Finding

5.1 Regulatory Context and Methodology

The analyses presented in this chapter were prepared in compliance with the Presidential Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994); the U.S. Department of Transportation (USDOT) *Order to Address Environmental Justice in Minority Populations and Low-Income Populations* (USDOT Order 5610.2(a), May 2, 2012); and the Federal Transit Administration (FTA)'s Circular FTA C4703.1, Environmental Justice Policy Guidance for Federal Transit Administration Recipients (FTA, August 15, 2012).

As outlined in FTA Circular 4703.1, the USDOT and FTA are required to make EJ part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of programs, policies, and activities on minority populations and/or low-income populations (collectively "Environmental Justice populations"). FTA includes incorporation of EJ and non-discrimination principles into transportation planning and decision-making processes and project-specific environmental reviews.

Furthermore, USDOT Order 5610.2(a) sets forth the USDOT policy to consider EJ principles in all USDOT programs, policies, and activities. It describes how the objectives of EJ are integrated into planning and programming, rulemaking, and policy formulation. This chapter only addresses impacts to minority and low-income populations that will be caused by the Project, because the No Build Alternative would not directly or indirectly change existing conditions of the surrounding environment. Since publication of the Draft EIS, the methodology for this analysis has been updated for compliance with 2012 FTA Circular on Environmental Justice (FTA Circular 4703.1 August 2012). Changes in methodology since publication of the Draft Environmental Impact Statement (EIS) include a new basis of EJ impact definition and updated considerations for specific environmental categories.

5.1.1 Data Sources

Decennial Census data were used as a primary source for mapping and locating minority populations. The U.S. Census takes place every 10 years and is intended to account for every resident in the United States. The Census also collects information on homeownership, sex, age, race, and ethnicity. Year 2010 U.S. Census data were used to quantify minority populations at the block level, which is the smallest geographic unit for which race and ethnicity data are available. The information was obtained from the following dataset: 2010 Census, Summary File 100% Data, P9.

American Community Survey (ACS) 2009-2013 data were used as a primary source for identifying low-income populations. The ACS is an ongoing survey that provides data on age, sex, race, family and relationships, income and benefits, health insurance, education, veteran status, disabilities, where people work and how they get there, and where people live and how much people pay for essentials. The purpose of

the ACS is to provide an annual data set that enables communities, state governments, and federal programs to plan investments and services. ACS provides period estimates that describe the average characteristics of population and housing over a period of data collection. The ACS is administered continually and, unlike the Census, is a random sampling of people from all counties and county-equivalents in the United States. ACS 2009-2013 Five-Year Estimates were used to quantify low-income populations at the block group level, which is the smallest geographic unit for which low-income population data are available.

5.1.2 Method for Identifying Census Blocks or Block Groups

Census blocks or block groups were selected for inclusion in the EJ study area using the following methodology:

- The EJ study area was defined as being a half mile on either side of the proposed light rail alignment, a half-mile radius surrounding the center point of each of the proposed light rail stations, and a half-mile radius surrounding the center point of the proposed operations and maintenance facility (OMF) in the City of Hopkins.
- All Census blocks or block groups within the study area were included in the analysis.

All Census blocks and block groups lie entirely within Hennepin County, Minnesota.

5.1.3 Method for Identifying Minority Populations

As defined in *FTA Circular 4703.1*, minority populations are any readily identifiable group or groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed or transient persons, such as migrant workers or Native Americans, who will be similarly affected by the proposed project. Minority population includes persons who are American Indian or Alaskan Native, Asian American, Native Hawaiian or Other Pacific Islander, African American (not of Hispanic Origin), and Hispanic or Latino. ACS data were used to identify Census blocks within the study area where there are minority residents.

5.1.4 Method for Identifying Low-Income Populations

As defined in *FTA Circular 4703.1*, a low-income person is one whose median household income is at or below the Department of Health and Human Services poverty guidelines. A low-income population is any readily identifiable group or groups of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed or transient persons who will be similarly affected by a proposed USDOT, program, policy, or activity. Similar to the identification of minority population areas, ACS data were used to identify Census block groups within the study area where there are residents meeting the Department of Health and Human Services poverty guidelines. This information was supplemented based on a review of each station area to determine the location of low-income housing within the study area, based on analysis completed as part of the Southwest Corridor Investment Framework (see Appendix D for instructions on how to access the framework) and based on outreach to low-income populations within the study area.

5.1.5 Method for Determination of Impacts to EJ Populations

The project-wide EJ finding is based on whether the proposed federal action (the Project) would result in a determination of disproportionate and high adverse impacts to EJ populations. Based on FTA guidance, the final project-wide EJ finding within this section considered the following criteria:

- Would the Project's adverse impacts be predominantly borne by EJ populations?
- Would adverse impacts to EJ populations be appreciably more severe or greater in magnitude than those suffered by non-EJ populations?
- Consideration of offsetting benefits against impacts of the Project to EJ populations.
- Consideration of mitigation measures that will be incorporated into the Project and consider enhancements or betterments that would be provided in lieu of mitigation.

5.2 Environmental Justice Populations

This section describes the minority and low-income populations identified within the study area, based on the methodology described in Section 5.1.

5.2.1 Minority Populations

Table 5.2-1 shows the total aggregate minority population for Hennepin County and cities through which the light rail alignment will pass (i.e., the affected cities) and Table 5.2-2 shows the total minority population for each of the affected cities, by race/ethnicity. The affected cities include Eden Prairie, Minnetonka, Hopkins, St. Louis Park, and Minneapolis. The City of Edina, while not one of the cities in which the Project will operate, falls partially within the study area for the EJ analysis and was therefore included in the analysis. As shown in Table 5.2-1, the combined (aggregated) population of minorities in Hennepin County represents 28.3 percent of the total county population. The overall population in the affected communities is 603,891, and the total aggregated minority population in these communities is 190,505 or 31.5 percent of the total. The overall percentage of minorities in each of the affected communities is as follows:

- Eden Prairie – 20.0 percent
- Edina – 13.4 percent
- Minnetonka – 11.4 percent
- Hopkins – 33.4 percent
- St. Louis Park – 18.8 percent
- Minneapolis – 39.7 percent

As shown in Table 5.2-3, a total of 1,099 Census blocks are either in or partially within the study area, with a total population of 59,183. Of this total, 42,544 residents (i.e., 72 percent of the total population) were identified as “non-minority.” The remaining 16,639 study area residents (28 percent of the total) are minorities, of whom:

- 7,171 (12.1 percent of the total) are African Americans or black
- 315 (0.5 percent) are American Indians or Native Alaskans
- 4,298 (7.3 percent) are Asian Americans
- 3,133 (5.3 percent) are Hispanic or Latino
- 17 (<0.1 percent) are Native Hawaiians or Pacific Islanders
- 1,592 (2.7 percent) identified themselves as belonging to two or more races
- 113 (0.2 percent) identified themselves as some other race

Exhibits 5.2-1 illustrates the aggregate minority populations for census blocks included in the study area. Exhibits 5.2-2 through 5.2-8 show the individual minority populations within the study area.

TABLE 5.2-1
Aggregated Minority^a Population, by City and County^b

Jurisdiction	Total Population	Non-Minority		Minority	
		Population	Percent of Total	Population	Percent of Total
Eden Prairie	60,797	48,654	80.0%	12,143	20.0%
Edina	47,941	41,535	86.6%	6,406	13.4%
Minnetonka	49,734	44,081	88.6%	5,653	11.4%
Hopkins	17,591	11,721	66.6%	5,870	33.4%
St. Louis Park	45,250	36,745	81.2%	8,505	18.8%
Minneapolis	382,578	230,650	60.3%	151,928	39.7%
Total in Affected Cities	603,891	413,386	68.5%	190,505	31.5%
Hennepin County Total	1,152,425	826,670	71.7%	325,755	28.3%

^a Minority populations are any readily identifiable group or groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed or transient persons, such as migrant workers or Native Americans, who will be similarly affected by the proposed project.

^b Sum of numbers may not equal due to rounding.
Source: 2010 Census, Summary File 100% Data, P9.

TABLE 5.2-2

Race/Ethnicity Characteristics, by City

Population Characteristics	Eden Prairie		Edina		Minnetonka		Hopkins		St. Louis Park		Minneapolis	
	Pop	% of Total	Pop	% of Total	Pop	% of Total	Pop	% of Total	Population	% of Total	Population	% of Total
Total Population ^a	60,697	100.0%	47,941	100.0%	49,734	100.0%	17,591	100.0%	45,250	100.0%	382,578	100.0%
Non-Minority Population	48,654	80.2%	41,535	86.6%	44,081	88.6%	11,721	66.6%	36,745	81.2%	230,650	60.3%
African American	3,360	5.5%	1,424	3.0%	1,837	3.7%	2,324	13.2%	3,319	7.3%	69,971	18.3%
American Indian/Alaska Native	94	0.2%	78	0.2%	103	0.2%	92	0.5%	175	0.4%	6,351	1.7%
Asian American	5,551	9.2%	2,914	6.1%	1,558	3.1%	1,483	8.4%	1,734	3.8%	21,399	5.6%
Hispanic/Latino	1,840	3.0%	1,101	2.3%	1,169	2.4%	1,390	7.9%	1,941	4.3%	40,073	10.5%
Native Hawaiian/Pacific Islander	21	0.0%	16	0.0%	8	0.0%	6	0.0%	36	0.1%	108	0.0%
Two or More Races	1,186	2.0%	785	1.6%	917	1.8%	530	3.0%	1,185	2.6%	13,004	3.4%
Some Other Race Alone	91	0.2%	88	0.2%	61	0.1%	45	0.3%	115	0.3%	962	0.3%
Total Minority Population	12,043	19.8%	6,406	13.4%	5,653	11.4%	5,870	33.4%	8,505	18.8%	151,928	39.7%

^a Sum of numbers may not equal due to rounding.

Source: 2010 Census, Summary File 100% Data, P9.

TABLE 5.2-3

Race/Ethnicity Characteristics for Study area Census Blocks, by City^a

Population Characteristics	Eden Prairie		Edina		Minnetonka		Hopkins		St. Louis Park		Minneapolis		Total Pop within Study Area Census Blocks	Percent of Total
	Pop	Percent of Total	Pop	Percent of Total	Pop	Percent of Total	Pop	Percent of Total	Pop	Percent of Total	Pop	Percent of Total		
Total within Study Area Census Blocks ^b	6,290	100.0%	1,192	100.0%	3,915	100.0%	13,973	100.00%	12,904	100.00%	20,909	100.00%	59,183	100.00%
Non-Minority	4,048	64.4%	1,071	89.9%	3,170	81.0%	8,777	62.8%	10,234	79.3%	15,244	72.9%	42,544	71.9%
African American	622	9.9%	30	2.5%	369	9.4%	2,048	14.7%	1,207	9.4%	28,95	13.9%	7,171	12.1%
American Indian/Alaska Native	16	0.3%	4	0.3%	7	0.9%	79	0.6%	52	0.4%	157	0.8%	315	0.5%
Asian American	1,128	17.9%	41	3.4%	128	3.3%	1,346	9.6%	462	3.6%	1,193	5.7%	4,298	7.3%
Hispanic/Latino	319	5.1%	30	2.5%	148	3.8%	1,242	8.9%	554	4.3%	840	4.0%	3,133	5.3%
Native Hawaiian/Pacific Islander	3	0.1%	0	0.0%	2	0.1%	4	0.0%	2	<0.1%	6	<0.1%	17	<0.1%
Two or More Races	144	2.3%	16	1.3%	87	2.2%	442	3.2%	366	2.8%	537	2.6%	1,592	2.7%
Some Other Race Alone	10	0.2%	0	0.0%	4	0.1%	35	0.3%	27	0.2%	37	0.2%	113	0.2%
Total Minority Population within Study Area	2,242	35.6%	121	10.2%	745	19.0%	5,196	37.2%	2,670	20.7%	5,665	27.1%	16,639	28.1%

^a Includes population characteristics of Census Block Groups within the study area.^b Sum of numbers may not equal due to rounding.

Source: 2010 Census, Summary File 100% Data, P9.

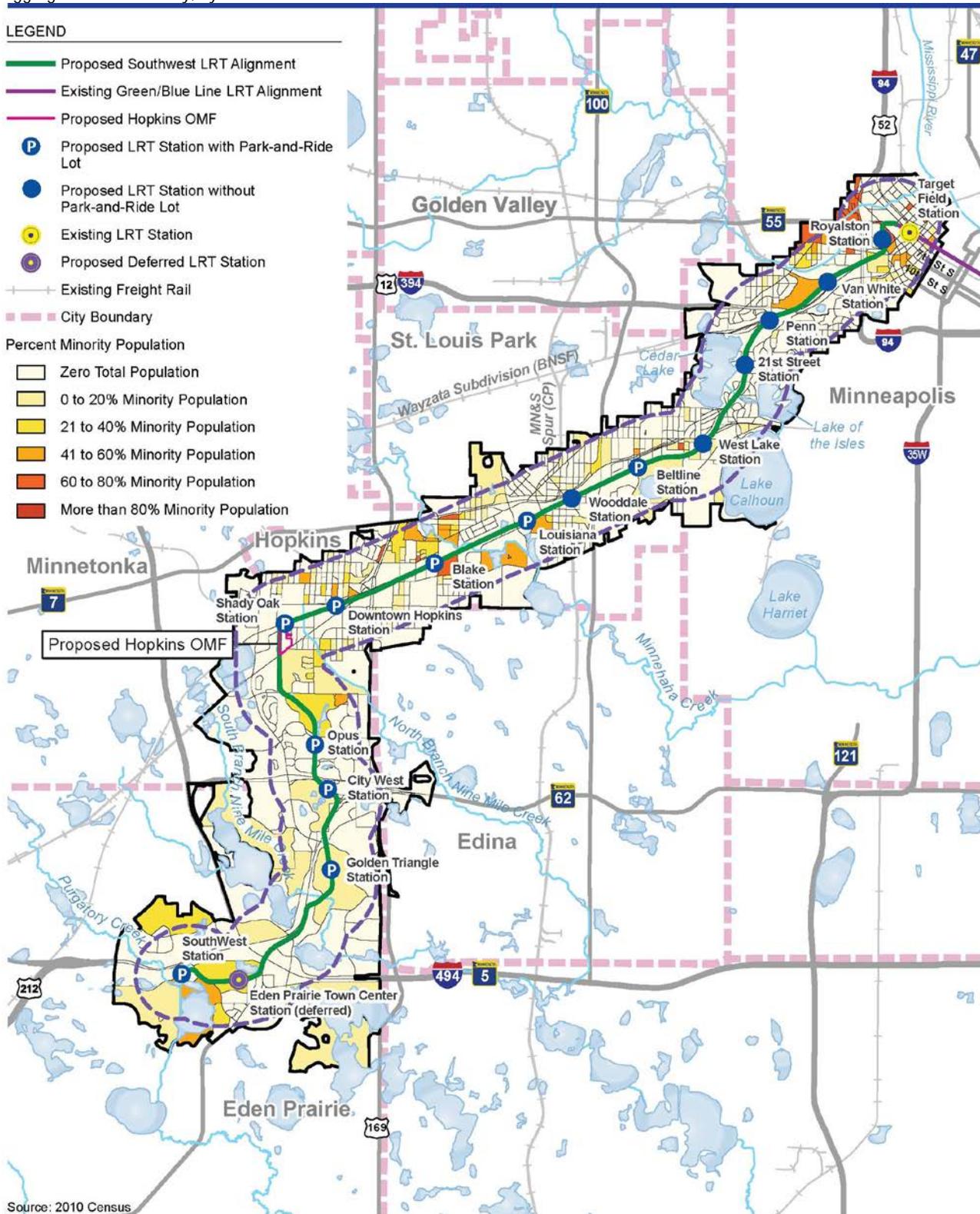
EXHIBIT 5.2-1
Aggregate Race/Ethnicity, by Census Block

LEGEND

-  Proposed Southwest LRT Alignment
-  Existing Green/Blue Line LRT Alignment
-  Proposed Hopkins OMF
-  Proposed LRT Station with Park-and-Ride Lot
-  Proposed LRT Station without Park-and-Ride Lot
-  Existing LRT Station
-  Proposed Deferred LRT Station
-  Existing Freight Rail
-  City Boundary

Percent Minority Population

-  Zero Total Population
-  0 to 20% Minority Population
-  21 to 40% Minority Population
-  41 to 60% Minority Population
-  60 to 80% Minority Population
-  More than 80% Minority Population



Source: 2010 Census

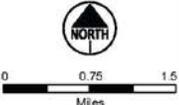
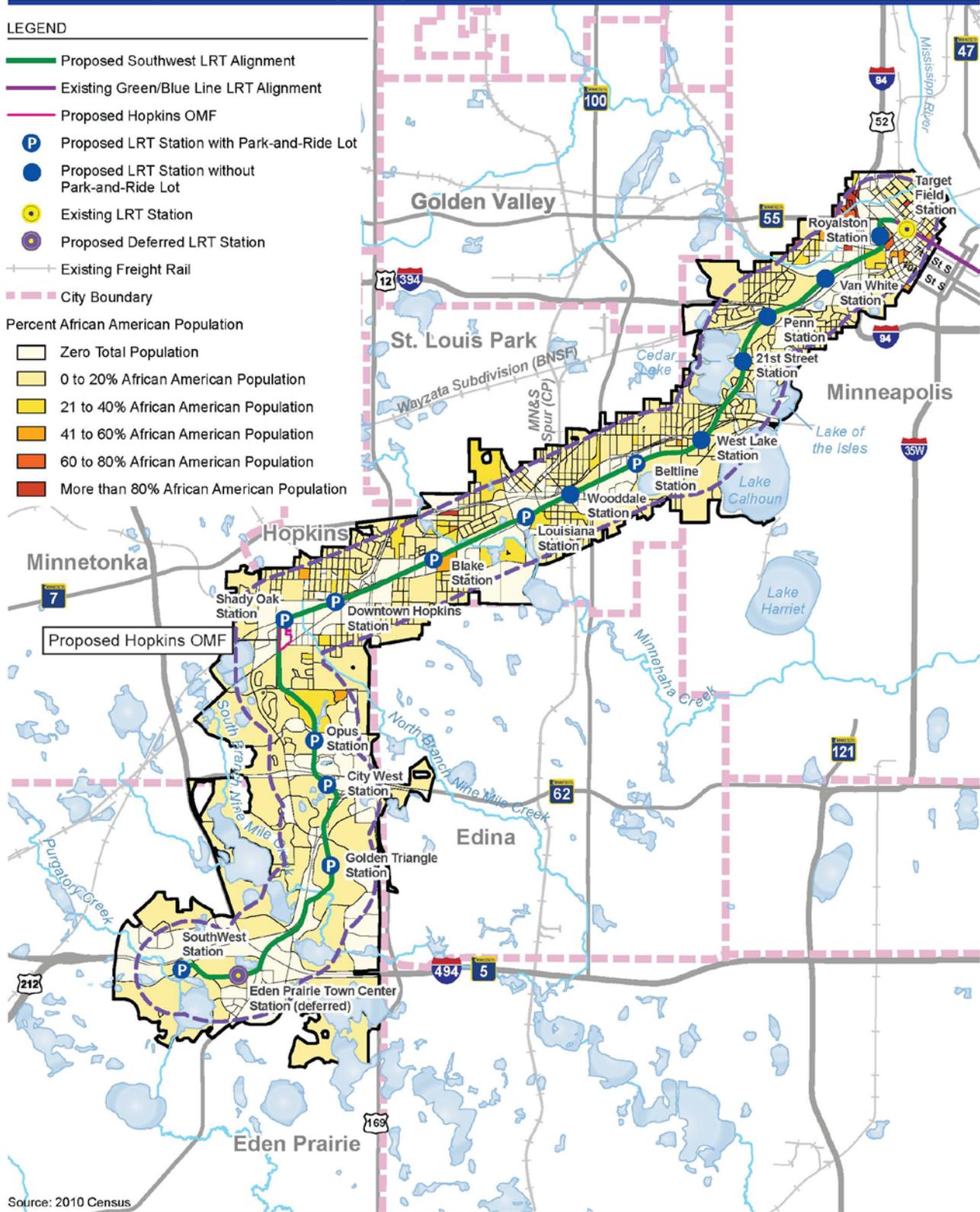
	<p>Southwest LRT FINAL EIS Aggregate Minority Populations within the Study Area, by Census Block Southwest LRT Project</p>		
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EXHIBIT 5.2-2

African American Populations within the Study area, by Census Block



Southwest LRT FINAL EIS
 African American Populations within the Study Area, by
 Census Block
 Southwest LRT Project

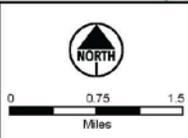
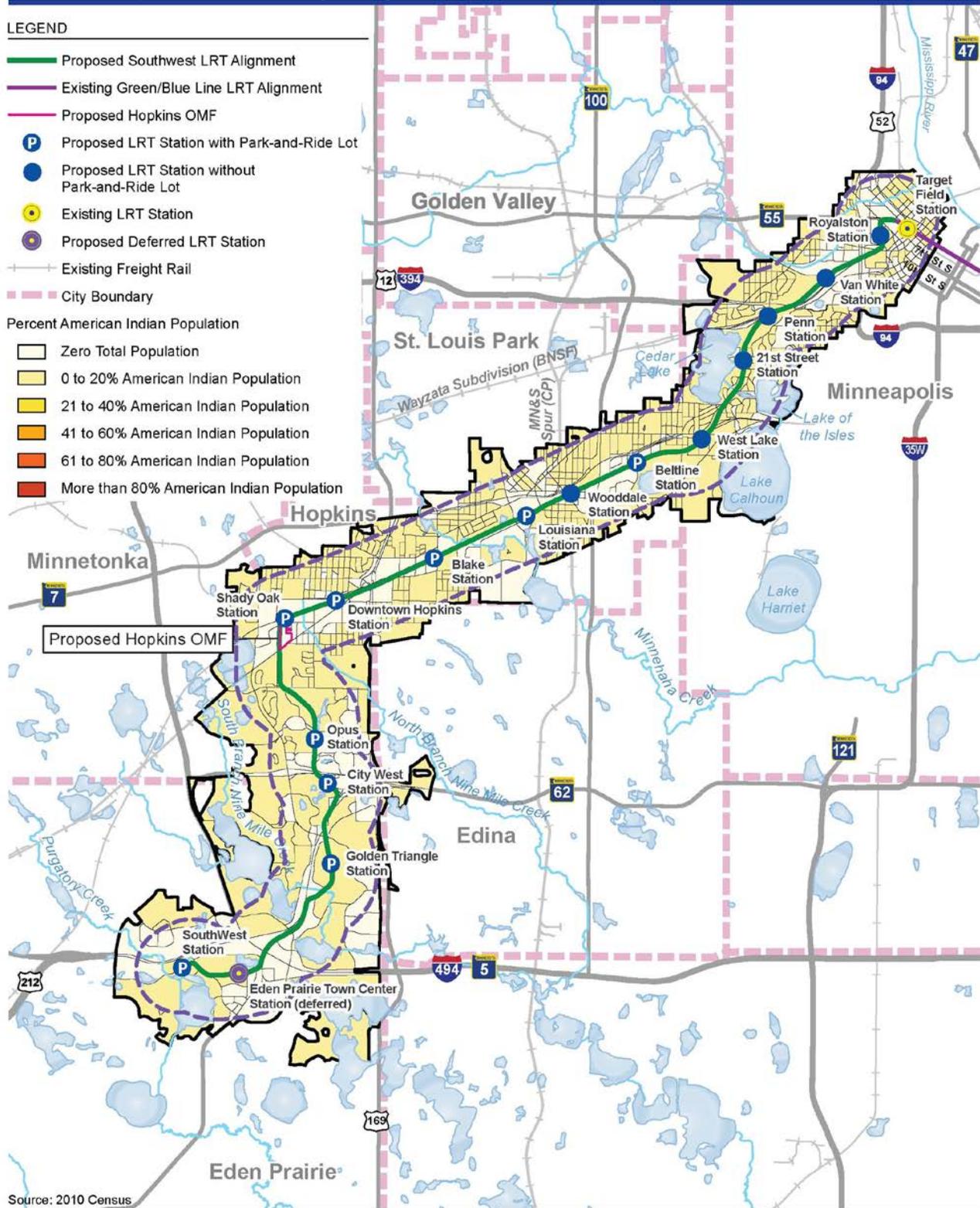


EXHIBIT 5.2-3

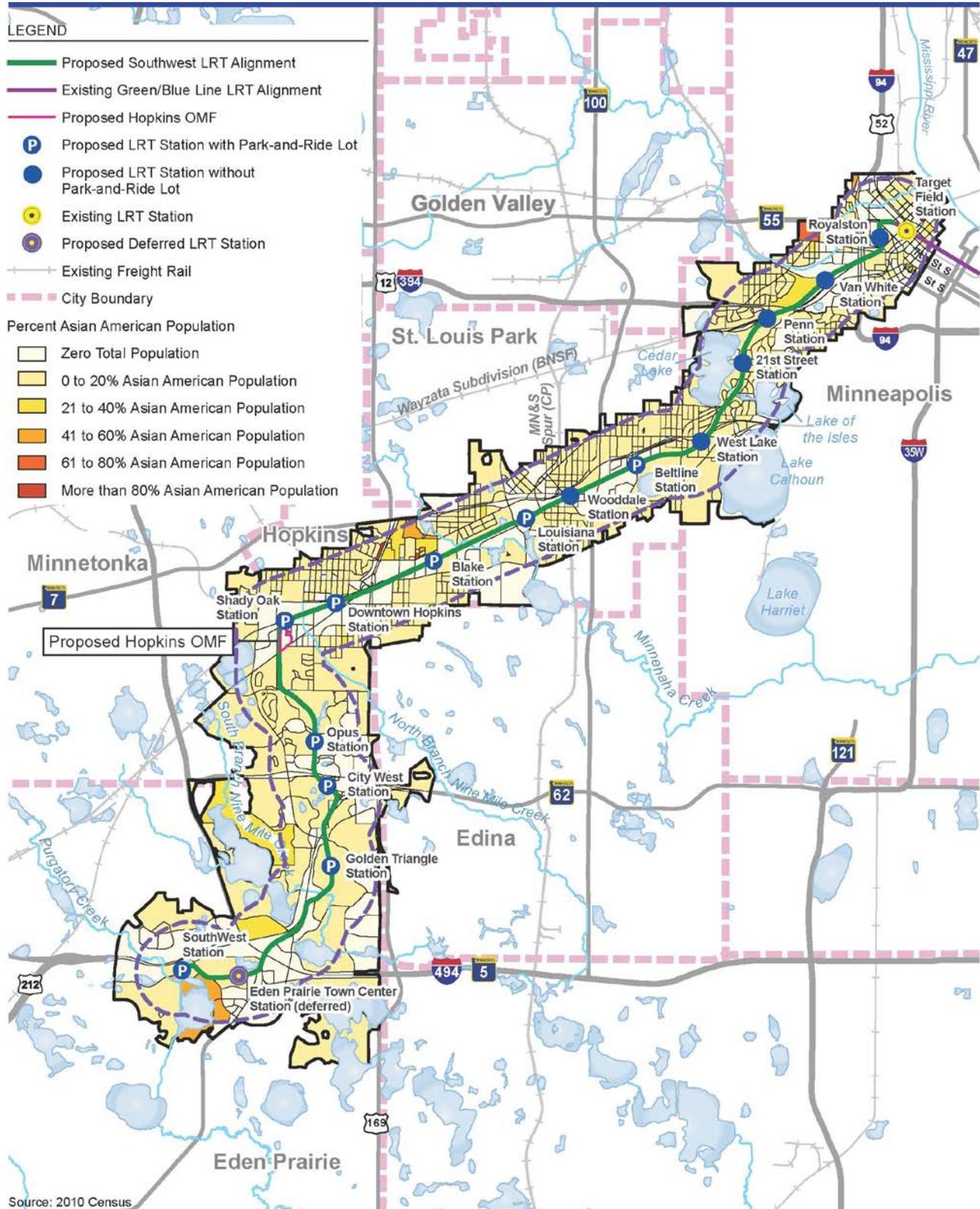
American Indian Populations within the Study area, by Census Block



	<p>Southwest LRT FINAL EIS American Indian Populations within the Study Area, by Census Block Southwest LRT Project</p>		
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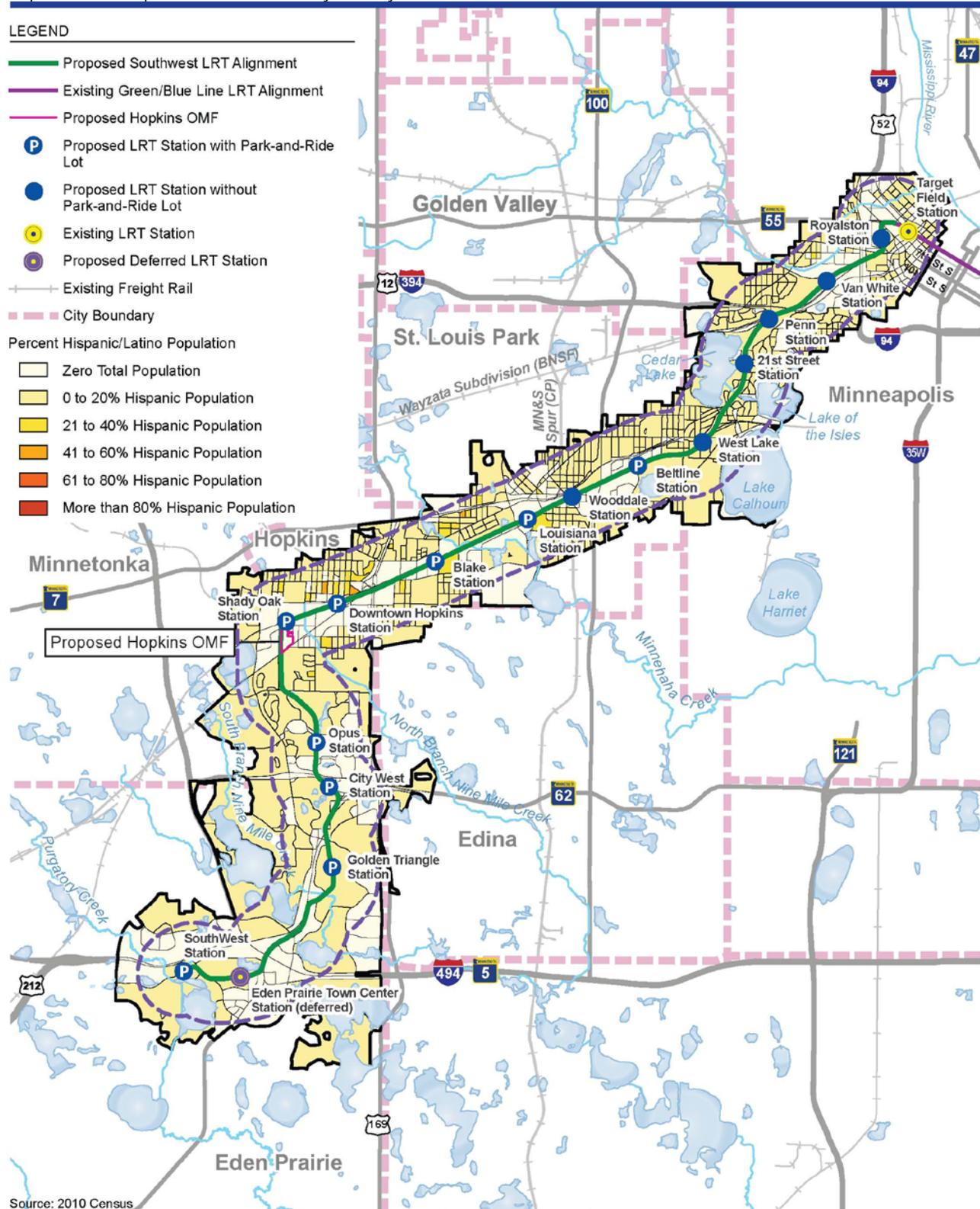
EXHIBIT 5.2-4

Asian American Populations within the Study area, by Census Block



	<p>Southwest LRT FINAL EIS Asian American Populations within the Study Area, by Census Block Southwest LRT Project</p>		
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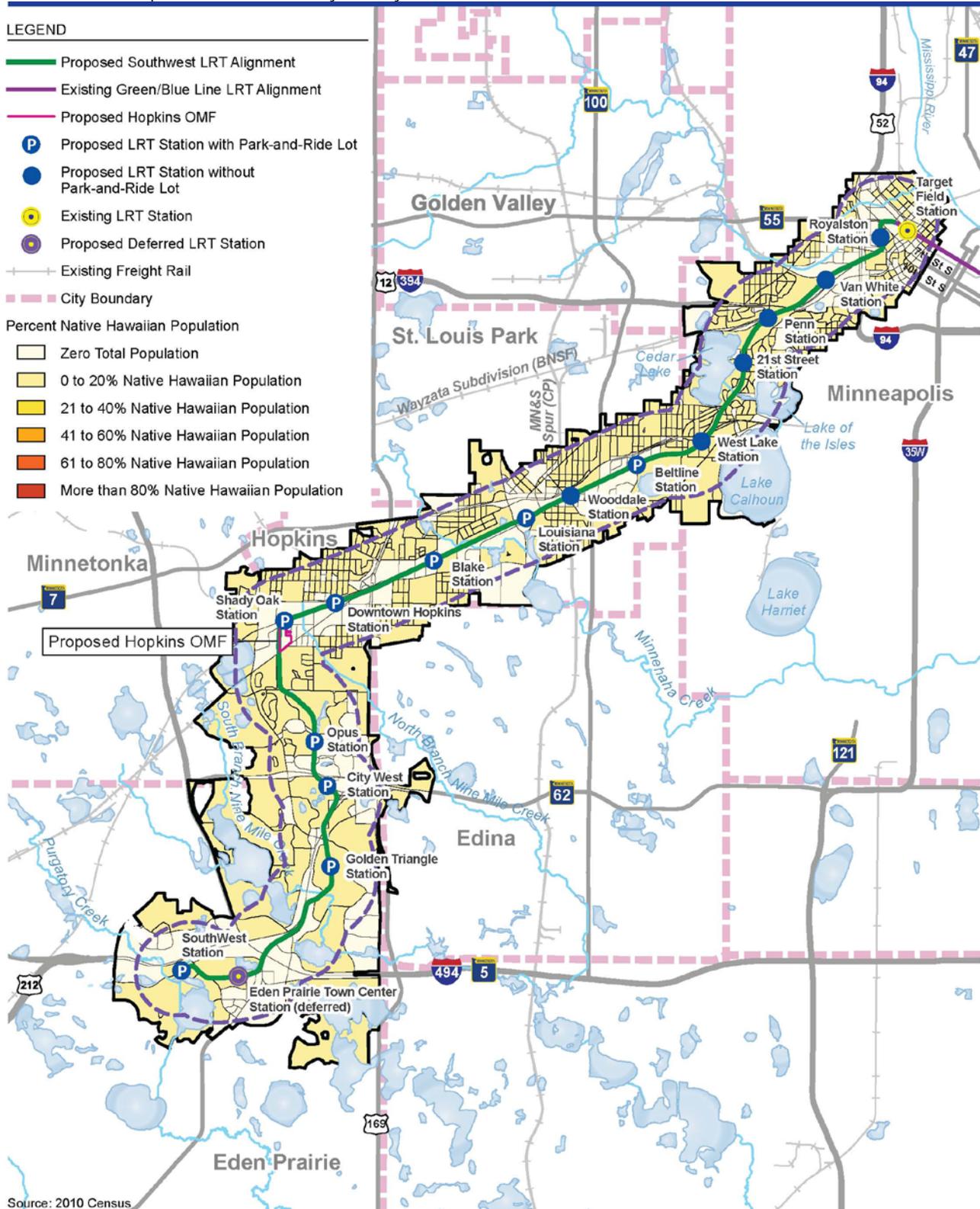
EXHIBIT 5.2-5
Hispanic/Latino Populations within the Study area, by Census Block



Source: 2010 Census

	<p>Southwest LRT FINAL EIS Hispanic/Latino Populations within the Study Area, by Census Block Southwest LRT Project</p>		
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EXHIBIT 5.2-6
Native Hawaiian Populations within the Study area, by Census Block



Southwest LRT FINAL EIS
Native Hawaiian Populations within the Study Area, by
Census Block
Southwest LRT Project

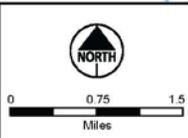
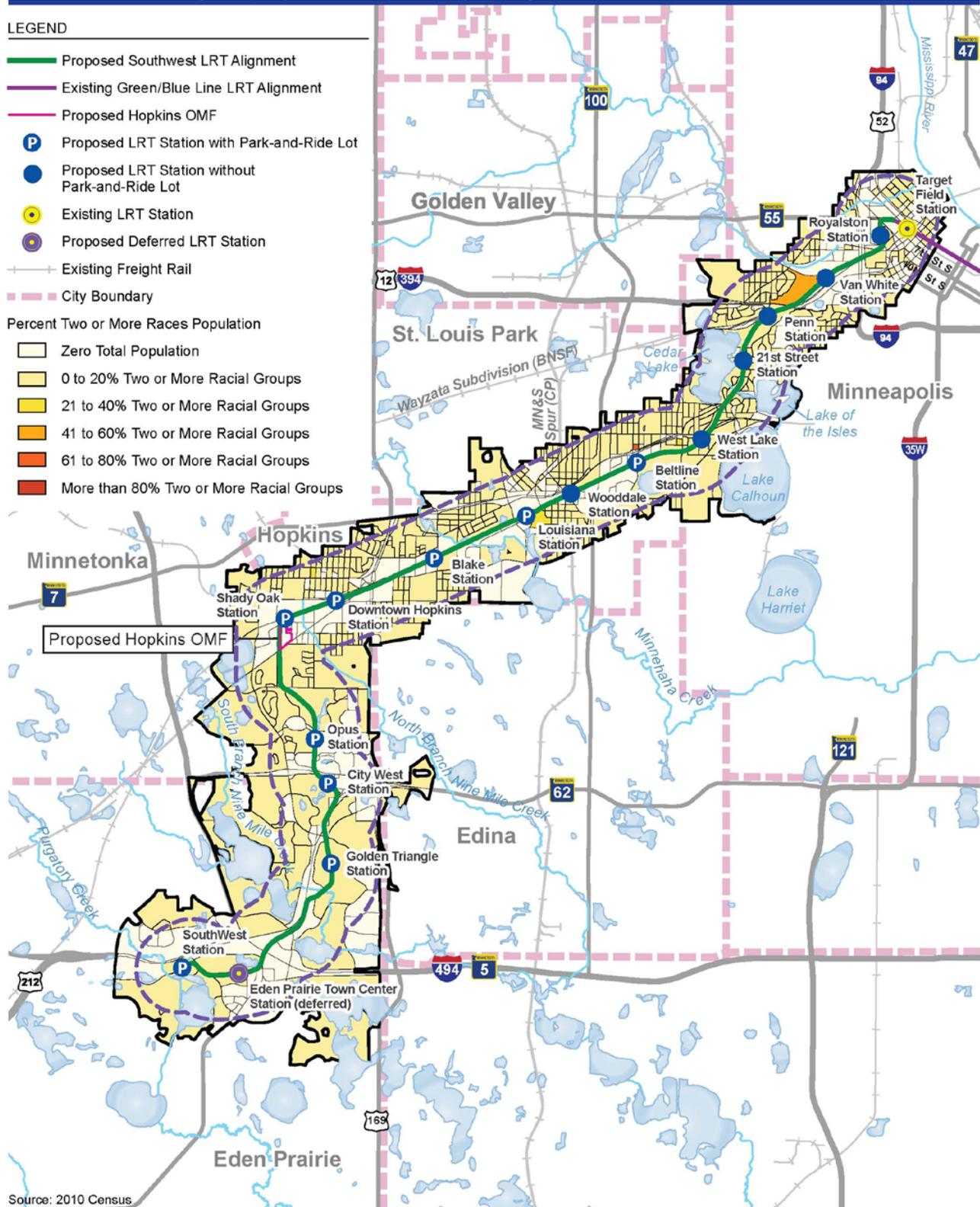


EXHIBIT 5.2-7

Two of More Race/Ethnicity Group Populations within the Study area, by Census Block



Southwest LRT FINAL EIS
 Two or More Race/Ethnicity Populations within the
 Study Area, by Census Block
 Southwest LRT Project

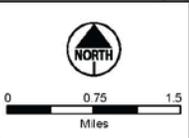
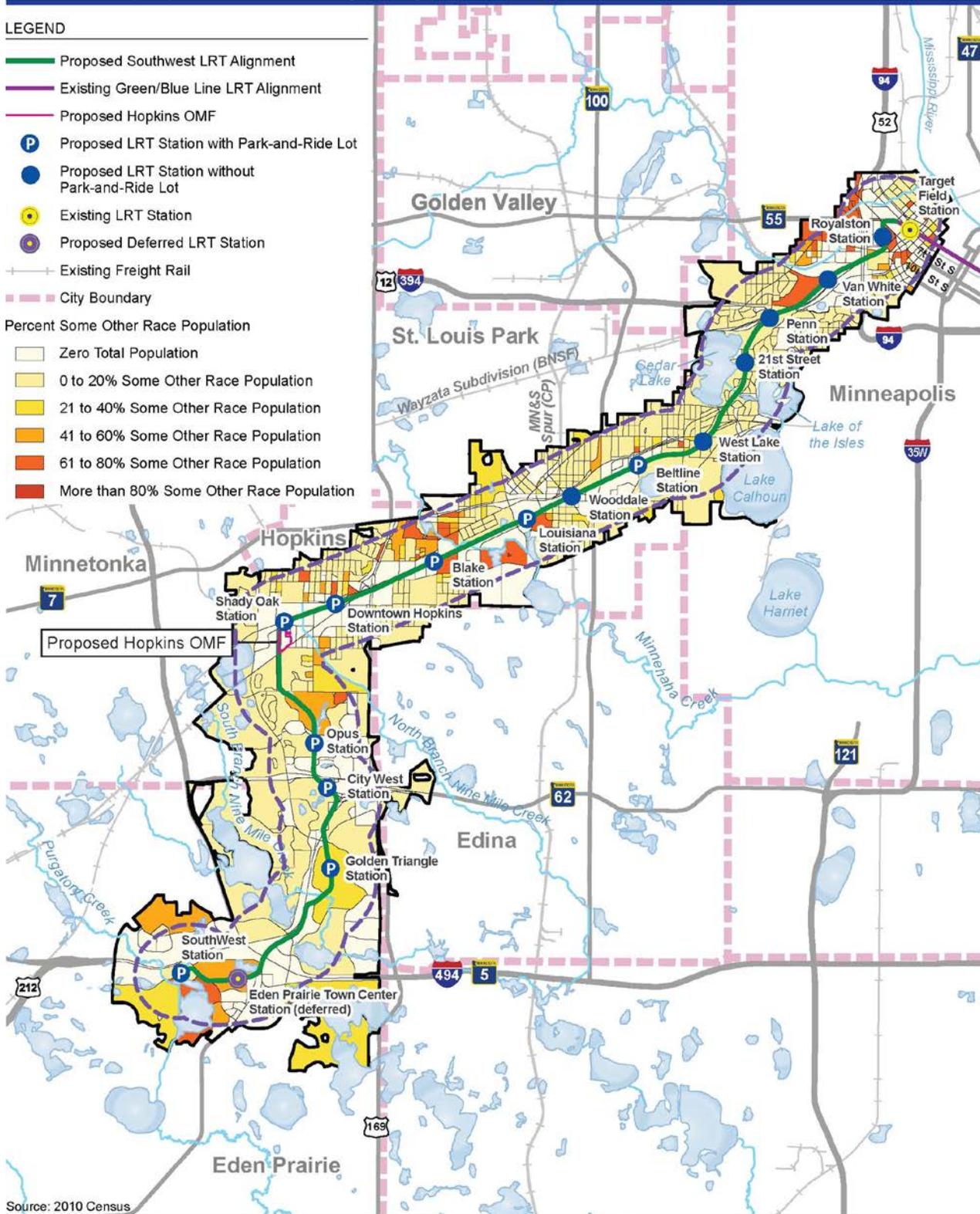


EXHIBIT 5.2-8
Other Race Group Populations within the Study area, by Census Block



	<p>Southwest LRT FINAL EIS Other Race Group Populations within the Study Area, by Census Block Southwest LRT Project</p>		
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5.2.2 Low-Income Populations

Table 5.2-4 and Exhibit 5.2-9 provide a summary of low-income residents within Hennepin County in each of the affected cities (i.e., Eden Prairie, Edina, Minnetonka, Hopkins, St. Louis Park, and Minneapolis). In Hennepin County, a total of 146,826 or 12.8 percent of residents were below the poverty level in the last 12 months analyzed. Among the affected communities, Minneapolis has the highest percentage of low-income residents at 22.5 percent and Edina has the lowest at 4.0 percent.

TABLE 5.2-4
Low-Income Residents by State, County, City, and Study Area

Place	Total Population for Whom Poverty is Determined	Population with Incomes in the Past 12 Months above Poverty Level	Population with Incomes in the Past 12 Months below Poverty Level	Percent of Population below Poverty Level
Minnesota	5,223,936	4,625,545	598,391	11.5%
Hennepin County	1,148,765	1,001,939	146,826	12.8%
Eden Prairie	61,364	58,186	3,178	5.2%
Edina	48,344	46,426	1,918	4.0%
Minnetonka	50,143	47,657	2,486	5.0%
Hopkins	17,517	14,390	3,127	17.9%
St. Louis Park	45,327	41,884	3,443	7.6%
Minneapolis	373,744	289,668	84,076	22.5%
Totals Within Affected Communities	596,439	498,211	98,228	16.5%
Study Area	89,696	77,192	12,504	13.9%

Source: 2009-2013 American Community Survey 5-year Estimates.

The ACS data described above was supplemented with information identifying affordable rental housing units within close proximity to station areas, in order to further understand the location of low-income populations within the study area. The Hennepin County Department of Housing, Community Works & Transit, as part of the Southwest Corridor Investment Framework, identified affordable rental housing units within a radius of approximately 2 miles of proposed light rail stations related to the Project. As shown in Table 5.2-5, affordable housing was identified in seven of the 13 station areas. Refer to the Southwest Corridor Investment Framework (see Appendix D) for mapping showing the location of these developments.

5.3 Public Involvement

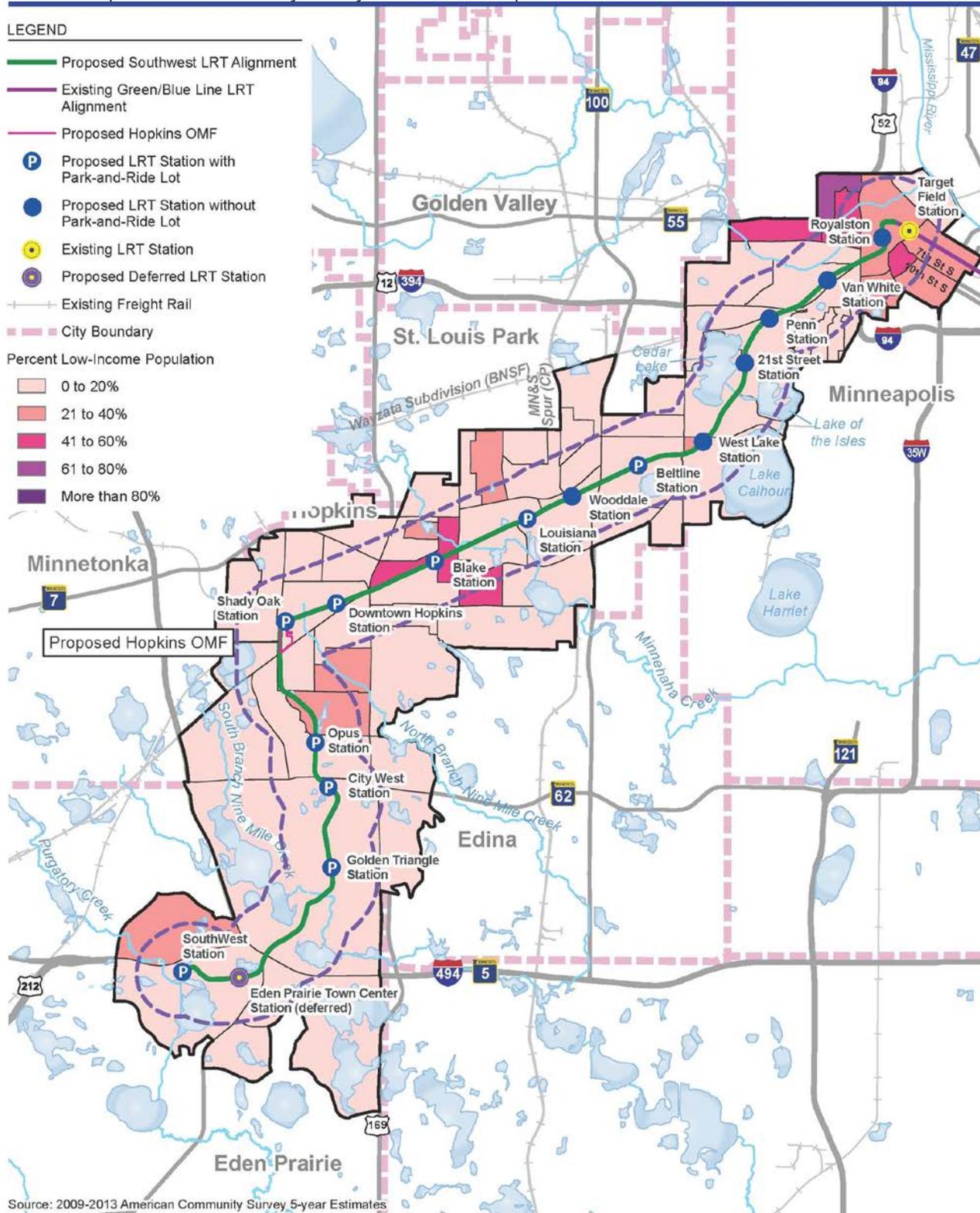
As described in Chapter 9, a Communication and Public Involvement Plan (Council, 2015) was prepared for the Project, recognizing the need to communicate and engage with multiple audiences within the study area and the region as a whole and specifically focusing on EJ communities comprising low-income and minority populations. Throughout the Project’s planning, design, and analysis, the Council and Project partners sought to develop broad public understanding and support of the Project as a necessary investment to improve access and mobility to employment, educational and economic opportunities within the study area and beyond. In addition, the Council and Project partners sought to engage the public, including residents, businesses, travelers, and agencies in the project planning process to address their needs and concerns.

The Communication and Public Involvement Plan identified key business and community groups including new immigrant communities, communities of color, low-income communities, and people with disabilities within the corridor and strategies to maximize opportunities for public involvement and communication during the engineering and construction process.

5.3.1 Project Engagement Efforts

The Council developed a public outreach strategy for the Project that created meaningful opportunities for public engagement for all members of the community, including members of EJ communities. Throughout

EXHIBIT 5.2-9
 Low-Income Populations within the Study area, by Census Block Group



	<p>Southwest LRT FINAL EIS Low-Income Populations within the Study Area, by Census Block Group Southwest LRT Project</p>		
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TABLE 5.2-5
Location of Affordable Housing

Station	Affordable Rental Housing (Total Number of Affordable Units)
SouthWest	1 multifamily low-income development – 70 units
Eden Prairie Town Center	2 multifamily low-income developments – 435 units
Golden Triangle	1 multifamily low-income development – 163 units
City West	1 multifamily low-income development – 280 units
Opus	2 multifamily low-income developments – 367 units
Shady Oaks	5 multifamily low-income developments – 580 units
Downtown Hopkins	4 multifamily low-income development – 167 units
Blake Road	No low-income housing identified
Louisiana	No low-income housing identified
Wooddale	No low-income housing identified
Beltline	No low-income housing identified
West Lake	No low-income housing identified
21st Street	No low-income housing identified
Penn	No low-income housing identified
Van White	No low-income housing identified
Royalston	No low-income housing identified

Source: Hennepin County, Southwest Corridor Investment Framework (2015).

Project Development and the NEPA process, the Project team used several avenues of communication and outreach to engage minority and low-income communities affected by the Project. First, Project staff reached out to established neighborhood groups, community leaders, and private organizations composed of and connected to minority and low-income communities in the study area, such as:

- Corridors of Opportunity grantee organizations.** The Council worked with and through an enterprise called Corridors of Opportunity, which ran from 2011 through the end of 2013. The Southwest LRT Corridor was one of seven Corridors of Opportunity projects. The purpose of the Council Corridors of Opportunity initiative was to engage underrepresented communities (low-income, communities of color, immigrant communities, persons with disabilities) in project planning throughout the region. As part of this effort, the Metropolitan Council awarded grants to six community-based non-profit organizations that engage and involve underrepresented communities in the study area. Collectively, the service area of these grantees covers a majority (i.e., greater than 90 percent) of the EJ study area. Each of these organizations has worked in unique ways to engage their communities in participation, decision-making, and leadership roles related to the Project planning and implementation.
- Community Advisory Committee.** The Community Advisory Committee (CAC) is an established long-standing forum for community input and dissemination of Project information. The Southwest LRT CAC has been meeting on a regular basis since 2012 and includes resident representatives from each city and key business and institutional representatives. Area residents and interested advocacy group representatives often attend CAC meetings to obtain information and provide input. Recently, representatives from each Corridors of Opportunity grantee organization have joined the CAC in an effort to maintain the connection and stream of information between the grantee organizations and the Project long after the grant period has ended. Meetings are open to the public and meeting dates, locations, and materials are available on the Project website. Members of the public who do not sit on the CAC often attend the meetings to receive Project information and talk with staff. The public is also welcome to sign up for an email distribution list to receive CAC announcements and meeting materials. Refer to the Southwest LRT Community Events Summary Report for a listing of CAC meetings, including the date, topic covered, and attendees (see Appendix C for instructions on how to access this document).

- **Community and Neighborhood Events.** Project staff actively participated in events sponsored by several community and neighborhood organizations. See the Southwest LRT Community Events Summary Report for details (see Appendix C for instructions on how to access this document).

In addition, Project staff routinely communicate Project information, decisions, and upcoming opportunities for participation in a number of ways. Chapter 9 provides a description of the public involvement events and activities undertaken during the Project. Additionally, refer to the Southwest LRT Community Events Summary Report for a complete listing of public engagement opportunities (see Appendix C for instructions on how to access this document).

While these events and activities engaged all members of the community, they were designed to incorporate EJ principles and included strategies and techniques for effective public engagement of minority and low-income populations by eliminating barriers to active participation. Specifically, the Project team:

- Engaged community leaders in communities of minority residents, new immigrant communities, and low-income communities to encourage participation from these communities, and to advise the Council on ways to effectively communicate with these communities through meetings with La Asamblea de Derechos Civiles, Centro de Trabajadores Unidos en la Lucha, and Harrison Neighborhood Association
- Recruited member of EJ communities to participate in advisory groups, including Community Advisory Committee members from New American Academy, Metropolitan Interfaith Council on Affordable Housing, ISIAAH, and Blake Road Corridor Collaborative
- Participated in Corridors of Opportunity grantee organization-led events, such as meetings and tours and often attend neighborhood association meetings to provide information and updates, such as the Harrison Neighborhood Association Transit Equity Committee, Waite House Community Latino Workers Forum, Heritage Park Neighborhood Association, Redeemer Church Block Park, Meadowbrook Collaborative National Night Out, and Bassett Creek Valley Redevelopment Oversight Committee
- Held events in a location that serves interests of EJ communities, including the Harrison Park Gym, Dunwoody College of Technology and the Minneapolis Central Library
- Scheduled events at times that would allow maximum participation by EJ communities by holding open houses and CAC meetings in the evening and attending local community weekend events such as Mainstreet Days (Hopkins), Raspberry Festival (Hopkins), North Moves (Minneapolis), and Parktacular (St. Louis Park); designed the format of events to allow for maximum input by having staff engage one to one with attendees, including staff writing comments, questions, and concerns as they were engaging
- Designated Project staff to accommodate the needs of person who are linguistically and culturally isolated, as well as persons who have disabilities, by posting accessible documents online and by making translation and interpretation services available as requested
- Designed events that go beyond auditory nature of public meetings by including visual techniques such as photographic examples of design features, engineering renderings, videos, and animations
- Presented technical information and complex policies and procedures in plain language, including guides to municipal consent and the Supplemental Draft EIS (translated into Spanish, Hmong, and Somali), as well as having outreach staff available to meet with individuals to discuss technical information
- Made all documents that require an official comment period available at locations that were easily accessible by members of EJ communities, including city halls, libraries, and online, and staff were available to meet with individuals when requested
- Disseminated Project information broadly, including announcements via ethnic media that deliver information in native languages, such as ethnic newspapers and radio stations serving EJ communities
- Developed multilingual fact sheets and brochures for distribution and publication on the Project website

The diversity of outreach strategies and techniques, materials, and information has resulted in involvement of EJ communities, contributing to the Metropolitan Council and FTA's understanding of the communities in

the corridor and how the Project will affect them. Hennepin County Regional Railroad Authority (HCRA) and the Council used suggestions and information gathered during public outreach activities to identify issues and concerns to be studied in the Draft EIS, Supplemental EIS, and Final EIS.

5.3.2 Environmental Justice-Related Outreach Efforts

Throughout the NEPA process, members of EJ communities have met with staff to resolve individual property or business concerns. Table 5.3-1 summarizes some of the major concerns in the EJ communities, by station area, and the actions the Southwest LRT has taken to address them. While the following table summarizes major issues and concerns specific to EJ communities, the Project has also addressed a number of general concerns that affect EJ and non-EJ populations alike. Refer to the relevant sections within Chapters 3 and 4 for an assessment of impacts and committed mitigation measures related to each of the environmental and transportation categories evaluated.

TABLE 5.3-1
Major Environmental Justice Issues and Project Actions and Responses, by Station Area

City or Station Area ^a	Major Issues/Concerns	Project Actions and Responses
Eden Prairie Minnetonka Hopkins St. Louis Park	<ul style="list-style-type: none"> Potential reduction in the availability of affordable housing related to station area development 	<ul style="list-style-type: none"> Ongoing coordination with Project partners to preserve a mix of housing affordability and to protect housing options for existing low-income residents
Eden Prairie Town Center	<ul style="list-style-type: none"> Accessibility to station and region for residents in the area 	<ul style="list-style-type: none"> Maintained Eden Prairie Town Center Station as a deferred station
Downtown Hopkins	<ul style="list-style-type: none"> Access from affordable housing across Excelsior Boulevard 	<ul style="list-style-type: none"> Design includes enhanced pedestrian facilities, such as new crosswalks and pedestrian ramps
Beltline	<ul style="list-style-type: none"> Concern about bus access to the station 	<ul style="list-style-type: none"> Incorporated specific bus drop off location at the station
21st Street	<ul style="list-style-type: none"> In earlier planning station was eliminated; the Native American community along Franklin Avenue was concerned about losing the most direct connection to the Project. 	<ul style="list-style-type: none"> Station added back into Project
Penn	<ul style="list-style-type: none"> Concern that Penn Station would be eliminated as part of ongoing Project scope refinements 	<ul style="list-style-type: none"> Station continually retained in Project
Van White	<ul style="list-style-type: none"> Concern over the ability of the Project to maximize economic development opportunities, particularly in the Basset Valley Creek/Linden Yards area Concern that sidewalks between Glenwood and the new Van White bridge were impassible for senior citizens or those with limited mobility Concern that Van White Station would be eliminated as part of ongoing Project scope refinements 	<ul style="list-style-type: none"> Coordinating with local jurisdictions to ensure station area consistency with land use plans, including the Basset Valley Creek Master Plan Added sidewalk improvements from new bridge to just north of Glenwood Station continually retained in Project
Royalston	<ul style="list-style-type: none"> Desire for direct access to Farmers Market to increase transit connections to healthy food options. Concern about proximity of LRT bridge structure to Sharing and Caring Hands 	<ul style="list-style-type: none"> Adjusted design to include enhanced pedestrian and bicycle facilities, providing connectivity between the Farmers Market and station Adjusted curvature of bridge to shift farther away from Sharing and Caring Hands building

^a This table includes only station areas where specific concerns were raised as part of the public involvement process.

Source: Council, 2015.

5.4 Environmental Justice Analysis

The FTA Circular (August 2012) states that policies, programs, and activities that have the potential to have a disproportionately high and adverse effect on human health or the environment shall include explicit consideration of the effects on minority populations and low-income populations. Tables 3.0-1 and 4.0-1 summarize the impacts by environmental category that will be associated with the Project (see Chapters 3 and 4 for additional detail on impacts within each environmental category). The FTA Circular defines disproportionately high and adverse effect on human health or the environment, to include an adverse effect that:

- Is predominantly borne by a minority population and/or a low-income population, or
- Will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

The FTA Circular (Section 2.C.2, *Determining Whether Adverse Effects are Disproportionately High*) states that, in making determinations regarding disproportionately high and adverse effects on minority and low-income populations, mitigation and enhancement measures that will be implemented and all offsetting benefits to the affected minority and low-income populations may be taken into account. This is particularly important for public transit projects because they often involve both adverse effects (such as short-term construction impacts and increases in bus traffic) and positive benefits (such as improved transportation options and connectivity, or overall improvement in air quality).

All environmental categories were reviewed to identify those environmental categories that will not result in any adverse effects, based on the analysis described in Chapters 3 and 4 of this Final EIS. The environmental categories with no adverse effects identified were not considered for additional EJ analysis due to no potential for disproportionately high and adverse effects to EJ populations. Environmental categories that will result in adverse effects were retained to determine if and to what extent these adverse effects would affect EJ populations (i.e., have the potential to be disproportionately high and predominately borne by EJ populations). Table 5.4-1 includes all environmental categories and shows those that were eliminated from further EJ analysis or retained, respectively.

The following sections provide a description of additional EJ analysis for the seven environmental categories identified as having potential for disproportionately high and adverse effects predominately borne by EJ populations, including a summary of the EJ finding for each of the environmental categories evaluated. These EJ findings assess whether the anticipated impacts of the environmental categories evaluated will likely result in disproportionately high and adverse impacts on minority and low-income populations. This assessment includes consideration of offsetting benefits the Project would have on minority and low-income populations, as well as consideration of mitigation measures identified throughout Chapters 4 and 5 of this Final EIS. The Project's final project-wide EJ finding is included in Section 5.5.

5.4.1.1 Acquisitions and Displacements

Section 3.4.3.1 of this Final EIS describes the long-term direct and indirect, and short-term impacts of the Project related to acquisitions and displacements. As summarized in Table 3.0-1, long-term direct impacts related to the Project include partial acquisition of 159 parcels (totaling approximately 133.5 acres) and full acquisition of 36 parcels (totaling approximately 64 acres). Of these, 145 parcels (totaling approximately 126 acres) are private property and 50 parcels (totaling approximately 71.5 acres) are currently under public ownership. The full or partial acquisition of property with industrial and commercial uses will result in the relocation of up to 72 businesses that currently operate on or use 20 of the parcels to be acquired by the Project and is not expected to displace any EJ populations. Further, as described in Section 3.4.3.2 and summarized in Table 3.0-1, there is potential for the long-term indirect impact of increased development and redevelopment in areas surrounding proposed light rail stations because of improved transit access. The Project will also result in short-term property acquisitions in the form of temporary (i.e., construction) easements. Construction easements will be needed on approximately 134 acres affecting approximately 178 parcels. To the extent that land surrounding the proposed stations is occupied by low-income people and

TABLE 5.4-1
Environmental Categories for the EJ Impact Analysis

Environmental Category ^a	Eliminated from Further EJ Analysis	EJ Impact Analysis
Land Use (Section 3.1)	X	
Economic Activity (Section 3.2)	X	
Neighborhoods and Communities (Section 3.3)	X	
Acquisitions and Displacements (Section 3.4)		X
Cultural Resources (Section 3.5)		X
Parks, Recreation Areas, and Open Spaces (Section 3.6)		X
Visual Quality and Aesthetics (Section 3.7)		X
Geology and Groundwater (Section 3.8)	X	
Surface Water Resources (Section 3.9)	X	
Ecosystems (Section 3.10)	X	
Air Quality and Green House Gases (Section 3.11)	X	
Noise (Section 3.12)		X
Vibration (Section 3.13)		X
Hazardous and Contaminated Materials (Section 3.14)	X	
Electromagnetic Interference and Utilities (Section 3.15)	X	
Energy (Section 3.16)	X	
Transit (Section 4.1)	X	
Roadway and Traffic (Section 4.2)	X	
Parking (Section 4.3)		X
Freight (Section 4.4)	X	
Pedestrian and Bicycle (Section 4.5)	X	
Safety and Security (Section 4.6)	X	

^a Refer to the applicable sections in Chapters 3 and 4 of this Final EIS for a detailed description of the impacts and mitigation measures associated with each environmental and transportation category.

Source: Council, 2015.

minorities, the Project presents the potential for development and/or redevelopment that may result in the displacement of EJ populations as the result of a loss of affordable housing options.

All Project acquisitions, full and partial, will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Relocation Act) (42 United States Code § 4601) and associated regulations contained in 40 Code of Federal Regulations Part 24, which ensures fair treatment during the acquisition process.

Finding: The Project will not directly displace any residences occupied by EJ populations, and none of the businesses that will be displaced predominantly serve EJ populations. Based on a review of the distribution of Project-related acquisition and displacement impacts throughout the study area, and after the consideration of mitigation to be implemented by the Project, the impacts are not disproportionately borne by EJ populations or appreciably more severe than those suffered by the non-EJ populations. Acquisitions-related impacts will be experienced by all populations in the corridor, regardless of race, ethnicity, or socioeconomic status, and, therefore, the Project will not have a disproportionately high and adverse impact on EJ populations related to acquisitions and displacements.

5.4.1.2 Cultural Resources

Based on results of the effects assessments, FTA has determined, in consultation with the Minnesota State Historic Preservation Office and other consulting parties, that the Project will have No Adverse Effect on 26 historic properties and an Adverse Effect on five properties, including two archaeological sites, one

historic district, one contributing property to that historic district, and one property individually listed in the National Register of Historic Places. Due to the Project's adverse effect on these five properties—Sites 21HE0436 and 21HE0437; the Grand Rounds Historic District; the Kenilworth Lagoon as a contributing property to the Grand Rounds Historic District; and the Chicago, Milwaukee, St. Paul & Pacific Railroad Depot—it has been determined that the undertaking will have an Adverse Effect on historic properties.¹ See Section 3.5.4 for additional information regarding the Project's impacts on cultural resources.

Finding: The historic properties that will be adversely effected, as described above, are located in Minneapolis and St. Louis Park (see Exhibits 3.5-1 through 3.5-5) and do not primarily serve EJ populations (see Exhibits 5.2-1 and 5.2-9). Cultural resource impacts will be experienced by all populations in the corridor, regardless of race, ethnicity, or socioeconomic status, and are not disproportionately borne by EJ populations. Therefore, there will be no disproportionately high and adverse impacts on EJ populations related to cultural resources.

5.4.1.3 Parks, Recreation Areas, and Open Spaces

As described in Section 3.6.3 and summarized in Table 3.0-1, the following parks, recreation areas, and open space properties will be affected as a result of the Project, prior to mitigation. Refer to Table 3.6-2 for descriptions of these facilities and more detail regarding impacts.

- Purgatory Creek Park in Eden Prairie
- Nine Mile Creek Conservation Area in Minnetonka
- Unnamed Open Space A in Minnetonka
- Unnamed Open Space B in Minnetonka
- Overpass Skate Park in Hopkins
- Minnehaha Creek Open Space in St. Louis Park
- Edgebrook Park in St. Louis Park
- Jorvig Park in St. Louis Park
- Lilac Park in St. Louis Park
- Park Siding Park in Minneapolis
- Kenilworth Channel/Lagoon in Minneapolis
- Cedar Lake Park in Minneapolis
- Bryn Mawr Meadows Park in Minneapolis

Concerns were expressed about ensuring trail connections from Bryn Mawr Meadows to stations and regional trails, and impacts to trees and wildlife at Unnamed Open Space A & B in Minnetonka. As a part of community advisory group meetings held during the Project development process, no specific concerns were raised related to impacts at Purgatory Creek Park in Eden Prairie, Nine Mile Creek Conservation Area in Minnetonka, Jorvig Park in St. Louis Park, Lilac Park in St. Louis Park, Park Siding Park in Minneapolis, Cedar Lake Park in Minneapolis, or Kenilworth Channel/Lagoon in Minneapolis.

Finding: None of the parks affected by the Project predominantly serves an EJ population or is located in an EJ area. The park, recreation area, and open space impacts will be experienced by all populations in the corridor, regardless of race, ethnicity, or socioeconomic status, and are not disproportionately borne by EJ populations or appreciably more severe than those suffered by non-EJ populations. Transit access to many parks, recreation areas and open spaces will be improved with the Project. Therefore, there will be no disproportionately high and adverse impacts on EJ populations related to parks, recreation areas, and open spaces.

¹ Through the Section 106 process to resolve the adverse effect to the Chicago, Milwaukee, St. Paul & Pacific Railroad Depot, including coordination with the Project's Section 106 consulting parties, measures were incorporated into the Project's design and Section 106 Memorandum of Agreement that avoid the adverse effect to the property. See Section 3.5 of this Final EIS for additional information about the Project's Section 106 process and analysis and Appendix H for the Section 106 Memorandum of Agreement.

5.4.1.4 Visual Quality and Aesthetics Impacts

Section 3.7.3 of this Final EIS describes the impacts that the Project will have on visual quality and aesthetics (see also Appendix K). The analysis of visual quality and aesthetics included assessments of long-term direct and indirect impacts at 19 viewpoints. Results of the analysis found that of the 19 viewpoint impacts assessed, seven will be “low,” six will be “moderate,” and six will be “substantial.” Of the 19 viewpoints assessed, seven are located in areas with a concentration of EJ populations based on race and ethnicity and/or income. The seven viewpoints are numbers 1, 2, 3, 6, 11, 12, and 19 (refer to Section 3.7 for a description of the location of these viewpoints). This includes two of the six viewpoints with substantial visual quality impacts (viewpoints 6 and 12), two of the six viewpoints with moderate visual quality impacts (viewpoints 2 and 3), and three of the seven viewpoints with low visual quality impacts (viewpoints 1, 11, and 19).

Where “potentially substantial” and “substantial” visual impacts have been identified, the Council will incorporate the following visual mitigation measures into the Project:

- Retain as much of existing vegetation as appropriate to provide shielding for sensitive viewpoints, including techniques such as chaining and mowing without removal of the root systems, and/or tying back large shrubs and trees to provide adequate areas for construction activities.
- Where appropriate, restore and replant cleared areas in a timely manner, considering such factors as species type, seasonal growing conditions, and other construction-related activities. Restoration activities will also take into account the following:
 - Interference with overhead structures (OCS)
 - Site distance requirements
 - Additional safety measures
- Where appropriate, place new and replacement trees based on such factors as helping to provide the maximum screening of views to and from sensitive viewpoints (e.g., adjacent residential areas), or providing street ornamentation.
- Where adequate right-of-way exists and in areas where the light rail alignment will be located adjacent to sidewalks or trails, provide planter strips between the sidewalk or trail and utilize native plant selections (e.g. wild flowers, grasses, or other native plants) to create a visual buffer and to screen views of the light rail alignment.
- As appropriate, develop landscape plans for the adjacent to elevated structures, retaining walls, noise walls, and TPSS sites as appropriate to achieve such effects as providing partial screening of the piers from sensitive viewpoints.
- Incorporate visual mitigation measures for Section 106 protected resources and Section 4(f) protected properties as specified in the Section 106 Memorandum of Agreement and the Final Section 4(f) Evaluation, respectively (see Appendix H and J, respectively).

In addition, each of the viewpoints evaluated will experience short-term impacts that will occur as a result of construction of the Project (refer to Section 3.7.3). Such impacts will be associated with construction staging areas; concrete and form installation; removal of some of the existing vegetation along the trail; lights and glare from construction areas; and dust and debris.

Finding: Based on a review of the distribution of Project-related visual quality impacts throughout the study area and after the consideration of visual quality mitigation to be implemented by the Project, the visual quality impacts are not disproportionately borne by EJ populations or appreciably more severe than those suffered by the non-EJ populations. Therefore, the Project will not have a disproportionately high and adverse impact on EJ populations related to visual quality.

5.4.1.5 Noise

Section 3.12.3 of this Final EIS describes the impacts of the Project on noise (see also Appendix L). The analysis of long-term direct and indirect noise impacts found that without mitigation there would be

237 dwelling units where moderate noise impacts would occur and 558 dwelling units where the noise impacts would be severe. A majority of the noise impacts without mitigation would be related to light rail vehicle horn soundings at -grade crossings in the corridor. However, the Project will implement measures to avoid, minimize, and mitigate noise impacts (see Section 3.12), as appropriate. Many of the noise impacts will be mitigated and will not have an adverse effect on EJ populations. After mitigation, there will be moderate residual noise impacts at four locations. Of these, one location, Park Glen Townhomes, is in an area with a potential EJ population, while the remaining locations are not located in areas with an EJ population.

The Project will result in short-term impacts related to construction. For residential land use, short-term at-grade track construction noise impacts will extend to approximately 120 feet from the construction site. If nighttime construction is conducted, short-term noise impacts from at-grade construction will extend to approximately 380 feet from the construction site. Construction noise mitigation measures will be implemented as appropriate to address construction noise impacts from the Project.

Finding: Based on a review of the distribution of Project-related moderate and severe noise impacts throughout the study area (see Exhibits 3.12-3 through 3.12-5) and after the consideration of noise mitigation to be implemented by the Project, the residual noise impacts are not disproportionately borne by EJ population or appreciably more severe than those suffered by the non-EJ population. Therefore, the Project will not have a disproportionately high and adverse impact on EJ populations related to noise.

5.4.1.6 Vibration

As described in Section 3.13.3, long-term and short-term impacts considered in the vibration analysis included vibration impacts and ground-borne noise impacts. The Project will not result in vibration impacts for any residential or institutional land uses. The Project would, however, result in 58 ground-borne noise impacts for residential land uses without mitigation. These impacts would be directly adjacent to and south of the proposed light rail tunnel in the Kenilworth Corridor. The Council will use highly resilient rail fasteners in the proposed light rail tunnel as mitigation, which will eliminate the ground-borne noise impacts for residential land use.

Finding: There will be no vibration impacts to any residential or institutional land uses and none of the ground-borne noise impacts will be in EJ areas. Therefore, there will be no disproportionately high and adverse impacts on EJ populations related to vibration or ground-borne noise.

5.4.1.7 Parking

As described in Section 4.3.3 and summarized in Table 4.0-1, the Project will result in long-term direct and indirect, and short-term impacts to parking. The Project will result in the permanent (i.e., long-term) displacement of approximately 692 private off-street parking spaces at 16 locations, and the displacement of a net total of approximately 57 on-street parking spaces (the Project will add 207 on-street parking spaces at four locations and eliminate 264 on-street parking spaces at 11 locations). The Project will include new park-and-ride lots at nine light rail stations, for a combined addition of approximately 2,487 new park-and-ride spaces. The loss of private off-street parking spaces at 16 locations does not occur in areas with an EJ population, or serve an EJ population. The elimination of 264 on-street parking spaces at 11 locations does not occur in areas with an EJ population, or serve an EJ population.

In order to mitigate potential unauthorized use of on-street and/or off-street parking due to spillover parking, the Council will complete a Regional Park-and-Ride System Report on an annual basis. As part of this effort, the Council and Metro Transit will collaborate with regional transit partners, local governments, and the Minnesota Department of Transportation to conduct an annual regional park-and-ride survey, which will track facility use and emerging travel patterns by park-and-ride users across the region to identify the appropriate mitigation, as needed and where feasible. The results of this survey will be published in the annual report.

Temporary removal of on-street parking spaces could occur at locations to facilitate construction of the Project (e.g., to facilitate truck movement, to provide a temporary truck loading zone). The Council will develop a Construction Mitigation Plan that will address temporary parking impacts during the construction of the Project.

Finding: Based on a review of the distribution of Project-related parking impacts throughout the study area (see Exhibits 4.3-1 and 4.3-2) and after the consideration of parking mitigation to be implemented by the Project, the parking impacts are not disproportionately borne by EJ populations or appreciably more severe than those suffered by non-EJ populations. Therefore, the Project will not have a disproportionately high and adverse impact on EJ populations related to parking.

5.5 Environmental Justice Finding

In summary, the resource specific conclusions are:

- Acquisitions and Displacements: no disproportionately high and adverse impacts on EJ populations
- Cultural Resources: no disproportionately high and adverse impacts on EJ populations
- Parks, recreation areas and open spaces: no disproportionately high and adverse impacts on EJ populations
- Visual resources: no disproportionately high and adverse impacts on EJ populations
- Vibration: no disproportionately high and adverse impacts on EJ populations
- Parking: no disproportionately high and adverse impacts on EJ populations.

While there will be adverse impacts related to the Project (as described in Section 5.4²), they will affect both EJ and non-EJ populations and will not be disproportionately borne by EJ populations. Both EJ and non-EJ populations in the study area will also benefit from the Project. The following is a list of the benefits to both EJ and non-EJ communities in the study area:

- More reliable and higher capacity service for transit riders
- Increased transit service³
- Improved connectivity and access to transit
- Improved mobility through the study area
- Improved pedestrian and bicycle connections and access, particularly in the vicinity of proposed LRT stations
- Improved access to employment, educational, recreational, shopping, and cultural opportunities
- Improved overall health of the users of the Project with improvements and extensions of the trail system (e.g., new grade-separated crossings) and other safety improvements
- Increased employment opportunities due to a greater number of commercial and residential businesses that are planned within the study area, which would result in positive economic gains in the form of increased wages and spending

As part of the community advisory group meetings held during the project development process, representatives from the New American Academy have always spoken positively about the indirect impact of increased development and redevelopment surrounding the proposed Eden Prairie Town Center Station on neighboring populations, as well as the benefit of improved access to jobs, housing, and schools for populations in Eden Prairie. Additionally, representatives from BRCC, and residents from North Minneapolis, Eden Prairie and Hopkins have commented that accessing jobs in the suburban cities, as well as downtown at off peak hours, will be easier and faster, and with longer operating hours.

² Includes both a description of impacts by environmental category and related mitigation measure commitments.

³ The Eden Prairie Town Center Station and associated roadway improvements are deferred and are not expected to be in place when the Project opens in 2020 (see Section 2.1.1). The station and associated roadway improvements are planned to be in place by 2040.

Project-Wide Environmental Justice Finding: The Council and FTA recognize that some of the specific impacts of the Project may adversely affect both EJ and non-EJ populations. Therefore, where appropriate, the Project alignment has been refined through the NEPA process to minimize impacts to both the human and natural environment. Environmental avoidance and minimization commitments and committed mitigation measures identified throughout Chapters 3 and 4 of this Final EIS address adverse impacts from light rail operations and construction activities that will affect both EJ and non-EJ populations.

Taking into account the adverse impacts on EJ populations, committed mitigation measures, and benefits to EJ populations, the Council and FTA have concluded that the Project as a whole would not result in disproportionately high and adverse impacts to EJ populations.

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