

Standard Attachment for Environmental Justice Analysis Data

Introduction

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, dated February 11, 1994, directed " each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States.... The proposed project has federal funding and federal permit requirements and is considered a federal project for purposes of compliance with the Executive Order."

FHWA Order 6640.23A FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations establishes policies and procedures for the Federal Highway Administration (FHWA) to use in complying with Executive Order 12898. FHWA issued Order 6640.23A on June 14, 2012.

Step 1. Identify Environmental Justice Study Area

The EJ study area is the geographic area where the proposed project has potential for human health or environmental effects.

A typical study area boundary consisting of the area approximately one-quarter mile from the study area was applied for this analysis per MnDOT guidance.¹ All Census Block Groups and Census Blocks that were partially or completely located within the study area were included in the analysis. Figure 1 depicts the EJ study area.

The percentages of minority and low-income persons in the study area was compared to the percentages of minority and low-income persons at the county level. The study area is located within the City of Forest Lake, in Washington County, Minnesota and the City of Wyoming and Chisago City within Chisago County, Minnesota. The minority and low-income populations within these geographic areas were included in the environmental justice analysis. A summary of this analysis is provided in the following sections.

¹ Minnesota Department of Transportation. Highway Project Development Process (HPDP) Environmental Justice Subject Guidance. November 1, 2017. <http://www.dot.state.mn.us/planning/hpdp/>

Step 2. Are there readily-identifiable minority or low income populations in the EJ Study Area

Environmental Justice (EJ) populations include minority and low-income populations.

Minority is defined in the DOT Order on Environmental Justice (Order 5610.2(a)) as including “Black or African American, Hispanic, Asian American, American Indian/Alaskan Native and Native Hawaiian or Pacific Islander.” Minority Population means any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy or activity.

Minority populations were identified from the American Community Survey Five-Year Estimates (2014-2018) at the Census Block Group level. A minority community is generally defined as a community in which the minority population is either 10 percentage points above the county average, or at least 50 percent of the total geographic unit. Minority populations were determined by comparing the percentage of the minority population for each Census Block Group in the study area to that of Chisago or Washington County.

Low-income population is defined in the DOT Order as meaning “any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy or activity.

Low-income populations were identified using income data for households collected from the 2014-2018 American Community Survey (ACS) at the Census Block Group level. For the purposes of this analysis, a low-income community is defined as a community in which the low-income population is either 10 percentage points above the county average, or at least 50 percent of the total geographic unit. The Federal Highway Administration (FHWA) defines “low-income” geographies where the median household income is at or below the Department of Health and Human Services (HHS) poverty guidelines. Poverty thresholds are updated each year by the Census Bureau and vary based on family size and composition. The 2021 poverty threshold for a family of four with two children was \$26,500.²

The EJ study area was investigated for the presence of readily-identifiable

- minority and/or low-income populations residing in the EJ study area,
- community facilities in the EJ study area that serve minority and/or low-income populations, and
- businesses in the EJ study area that are owned by, employ and/or serve minority and/or low-income populations.

The investigation included review of demographic data, field review, consultation with knowledgeable local representatives, and public outreach activities, as described below.

² U.S. Department of Health and Human Services. *U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs*. Effective January 13, 2021. <https://aspe.hhs.gov/poverty-guidelines>

Step 2-A: Compile Demographic Data

Data sources used: ☐ EPA's EJ Screen Tool ☒ Census Data

Table 1: One-Quarter Mile Ring around the Project Demographic Data

Census Tract	Block Group	County	Selected Variable	Value
701.03	1	Washington	Minority Population	7%
701.03	2	Washington	Minority Population	16%
701.03	3	Washington	Minority Population	4%
701.05	1	Washington	Minority Population	6%
701.05	3	Washington	Minority Population	2%
1104.01	3	Chisago	Minority Population	0%
1105.02	3	Chisago	Minority Population	12%
701.03	1	Washington	Low Income Population	4%
701.03	2	Washington	Low Income Population	20%
701.03	3	Washington	Low Income Population	17%
701.05	1	Washington	Low Income Population	7%
701.05	3	Washington	Low Income Population	14%
1104.01	3	Chisago	Low Income Population	0%
1105.02	3	Chisago	Low Income Population	0%

Source: American Community Survey Five-Year Estimates (2014-2018)

Table 2: Washington County Demographic Data

City	County	Selected Variable	Value
Not applicable (N/A)	Washington	Minority Population	14%
N/A	Washington	Low Income Population	5%
Forest Lake	Washington	Minority Population	8%
Forest Lake	Washington	Low Income Population	7%
N/A	Chisago	Minority Population	4%
N/A	Chisago	Low Income Population	6%
Chisago City	Chisago	Minority Population	3%
Chisago City	Chisago	Low Income Population	6%
Wyoming	Chisago	Minority Population	3%
Wyoming	Chisago	Low Income Population	2%

Source: American Community Survey Five-Year Estimates (2014-2018)

2-b./2-c. Field Review and Consultation

A field review and/or consultation with local representatives knowledgeable about community demographics identified the following facilities that may be impacted by the project:

☒ Community facilities, businesses readily-identifiable as serving EJ populations

Community facilities within the study area include:

- Bixby Park (Forest Lake, Washington County)
- Schilling Park (Forest Lake, Washington County)
- Hardwood Creek Regional Trail (Forest Lake, Washington County)
- Faith Lutheran Church (Forest Lake, Washington County)
- North Lakes Academy (Forest Lake, Washington County)
- Comfort Park (Wyoming Township, Chisago County)
- Chisago Lakes Baptist Church and School (Chisago City, Chisago County)
- West Green Lake Cemetery (Chisago City, Chisago County)
- Lakeside Elementary School (Chisago City, Chisago County)

☐ Affordable housing types

No affordable housing or businesses readily-identifiable as serving EJ populations are located in or directly adjacent to the study area.

2-d. Public Outreach

☒ Additional public outreach with a special effort for engagement with potentially affected EJ populations was necessary.

☐ Based on the results of steps 2A-2C, no additional public outreach was necessary because there is not an EJ population in or near the EJ study area.

From 2019 to 2021, several pop-up event and open houses were held to provide information on the project to the public and opportunities to obtain feedback. A summary of the public engagement activities conducted to-date is provided in the following paragraphs.

Pop-Up Workshops

Over the summer of 2019, a series of public engagement events were held along the Highway 8 Corridor to gather feedback on issues, concerns, and ideas for the roadway. Pop-up events included:

- Mike's Bait on 8: A pop-up events was held on June 21, 2019 from 8:00 a.m. to 10:00 a.m. at Mike's Bait on 8, a one-stop shop for hunting, fishing, and outdoor recreation located directly off Highway 8 in Forest Lake. The project team met with 18 patrons outside of Mike's Bait on 8 to discuss project information. General comment themes included:
 - Support for dedicated turn lanes
 - Support for construction of four lanes on Highway 8
 - Concerns regarding the number of access points on Highway 8
 - Concerns regarding high speeds and safety
 - Interest in dedicated bicycle facilities

- Interest in roundabouts
- Chisago City Farmers Market: A pop-up event was held during the Chisago City Farmers Market on June 21, 2019 from 2:00 p.m. to 5:00 p.m. The Chisago City Farmers Market occurs on Friday afternoons from June through September at Moberg Park in Chisago City. The project team met with 45 attendees to discuss how they use Highway 8 and the issues they experience. General comment themes include:
 - Support for additional turn lanes
 - Support for construction of four lanes on Highway 8
 - Concerns regarding the number of access points on Highway 8
 - Concerns regarding high speeds and safety
 - Interest in dedicated bicycle facilities
 - Interest in roundabouts
- Harmony in the Park: A pop-up event was held during the *Harmony in the Park*, a summer concert series hosted by the City of Lindstrom at Lion's Park on July 10, 2019 from 6:00 p.m. to 8:30 p.m. The project team met with 60 attendees, many who were residents that were unfamiliar with the project. General comment themes included:
 - Support for four-lane expansion
 - Support for better lighting
 - Interest in protecting environment/endangered species
 - Support for median
 - Interest in transit opportunities
 - Positive and negative comments regarding roundabouts or additional traffic signals
- Brink's Market: A pop-up event was held at Brink's Market on July 15, 2019 from 4:00 p.m. to 6:00 p.m. The project team met with 40 attendees, gain a wide range of feedback and concerns. General comment themes included:
 - Support for four-lane expansion, bypass lanes
 - Support for bicyclist/pedestrian improvements
 - Support for additional turn lanes
 - Safety concerns regarding access along Highway 8
 - Interest in advanced warning flashing lights

Messages gathered from these events highlight roadway safety and mobility concerns. After evaluating community feedback and technical analysis, the project team, led by Chisago County, have been developing initial concept alternatives that address these community concerns and another round of public engagement was initiated in December 2019.

Open House #1

Chisago County's Trunk Highway 8 Reconstruction Project hosted its second open house on July 31, 2019 at Lord of Lakes Lutheran Church in Forest Lake. Property owners along the Highway 8 Corridor. The open house was

attended by 58 people. The open house format included a project information boards and a conceptual layout of the Corridor. Attendees were invited to leave post0its on the layout identifying specific issues and ideas. A total of 17 comment cards were completed. General comment themes included:

- Improve roadway safety.
- Focus on improvements for safe left turn movements.
- Convert road to four lanes.

Open House #2

Chisago County’s Trunk Highway 8 Reconstruction Project hosted its second open house on January 28, 2020 at Lord of Lakes Lutheran Church in Forest Lake. The open house was attended by more than 100 area residents. Project staff hosted the event to share project progress, communicate how alternatives were evaluated. General comment themes included:

- Concerns regarding access and safety on Highway 8 and associated side streets.
- Questions regarding the project timeline.
- Interest in bicyclist/pedestrian crossing improvements.
- Concerns regarding construction of Reduced Conflict Intersections (RC).
- Concerns regarding impacts to businesses during construction-related road closures.
- Concerns regarding noise impacts and impacts to adjacent lakes.

Open House #3

A virtual open house was launched on April 12, 2021 due to COVID-19 restrictions on public gatherings. The purpose of the virtual open house was to update the public on the status of the project, visually engage participants with potential roadway improvement options, and provide an opportunity for public feedback. Mailers were sent to property owners and residents adject to the Highway 8 Corridor. Intersection types including visual graphics and explanations of the pros/cons associated with each intersection alternative were provided. Public feedback was obtained through virtual comment cards and a survey that allowed participated to select preferences for intersection treatments.

2-e. Summary

Based on the data collection above:

- ☐ There is not an identifiable EJ population in the EJ study area. No further study is needed. **Go to Environmental Justice Finding.**
- ☒ There is an identifiable EJ population in the EJ study area. **Go to Step 3.**

Based on the U.S. Census ACS demographic data, a low-income population is present within Census Tract 701.03, Block Group 2 and Census Tract 701.03, Block Group 3. The percentage of the total households below poverty thresholds within these block groups was determined to be ten percent or greater than the percentage of the total households below poverty thresholds at the County level. Therefore, an identifiable EJ population is assumed present within the study area.

Step 3: Avoidance/Minimization Measures

During project development, the following measures were taken to avoid and/or minimize adverse impacts to identified EJ populations:

- Minimize right-of-way acquisition to the extent possible.
- Provide adequate space to construct to maintain traffic on Highway 8 throughout construction.
- Avoid construction during night time hours.
- Evaluate traffic noise mitigation measures.

Step 4: Impacts

Executive Order 12898 requires that the proposed actions be reviewed to determine if there are “disproportionately” high or adverse impacts on these populations. Disproportionately high and adverse effect on minority and low-income populations means an adverse effect that:

- is predominately 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.

As described in this environmental document, the proposed action may have impacts on human health and environment with regard to the following topics: temporary construction impacts, traffic noise, and right-of-way acquisition. These topics are described below including the impact, mitigation and whether the impact after mitigation is disproportionately high or adverse to identified EJ populations.

Temporary Construction Impacts

There will be temporary construction impacts including dust, noise and traffic detours associated with this project. Standard construction noise and dust control best management practices will be followed as identified in the construction contract specifications.

The proposed design is anticipated to allow for construction of the roadway improvements half at a time to maintain traffic on Highway 8 throughout project construction. Traffic detours and short-term closures will be identified as the project design advances. Access to businesses and residential properties will be maintained throughout construction of the project.

Construction activities associated with the proposed project would result in increased noise levels relative to existing conditions. These impacts would primarily be associated with construction equipment and pile driving. Elevated noise levels are, to a degree, unavoidable for this type of project. Chisago County will require that construction equipment be properly muffled and in proper working order. Chisago County will comply with applicable local noise restrictions and ordinances to the extent that is reasonable. Advanced notice will be provided to affected communities of any planned abnormally loud construction activities. It is not anticipated that night construction will be required as part of this project. The duration of construction will be determined during the final design of the project.

Any associated high-impact equipment noise, such as pile driving, pavement sawing, or jack hammering, will be unavoidable with construction of the proposed project. High-impact noise construction activities will be limited in duration to the greatest extent possible.

Traffic Noise

A traffic noise analysis is being conducted. Noise abatement measures will be evaluated for receptor locations where traffic noise levels were projected to approach or exceed federal noise abatement criteria, which would include residential land uses, businesses, park land and trails. Avoidance, minimization and mitigation measures will be identified as part of the noise analysis.

Right-of-Way Acquisition

Impacts to adjacent properties and sensitive environmental resources were minimized during development of the project by incorporating an urban section design. During the evaluation of conceptual design alternatives, the alternative resulting in the least right-of-way acquisition impacts was selected as the recommended alternative. Opportunities to further refine and minimize right-of-way acquisition will be considered as the project advances to development of the final design.

The findings of the environmental justice analysis identified a low-income population is present south of Highway 8 between Interstate 35 (I-35) and Highway 61. Within the section of Highway 8 between I-35 and Highway 61, work will be limited to pavement preservation improvements and will not require right-of-way acquisition. Adjacent land uses south of TH 8 between I-35 and Highway 61, primarily consist of park land. Therefore, it is anticipated that the right-of-way impacts of the project will avoid areas of the Corridor where environmental justice populations are present.

Does Step 4 identify any disproportionately high and adverse impacts on EJ population remaining after the initially identified mitigation has been considered?

- ☐ Yes. Go to **Step 5**.
- ☒ No. Go to **Go to Environmental Justice Finding**.

Step 5: Off-Setting Benefits

The project will improve pavement conditions, vehicle safety, and vehicle mobility on Highway 8 between I-35 in the City of Forest Lake and Karmel Avenue in Chisago City. High traffic volumes, high speeds, and access have caused a vehicle safety concern on the two-lane section of Highway 8 east of Highway 61 to Karmel Avenue. There have been a 117 crashes along Highway 8 in recent years (2014 – 2018), including a fatality. Mitigation strategies for these safety concerns include adding turn lanes, constructing raised medians, widening shoulders, improving sightlines, and enhancing traffic control at major intersections. Properly managing access along the Highway 8 Corridor will also improve traffic safety and mobility.

Additionally, the project will improve walkability/bikeability along the Highway 8 Corridor in the study area by constructing trail facilities, pedestrian signal indicators, marked crosswalks, and ADA compliant curb ramps at signalized intersections along the Highway 8 Corridor. The County is also planning to construct a portion of the Swedish Immigrant Trail along with this project, which will ultimately connect to other regional trails.

After factoring in these off-setting benefits, are the impacts still disproportionately high or adverse to the affected EJ population?

☐ Yes. Go to **Step 6**.

☒ No. Go to **Environmental Justice Finding**.

Step 6: Project refinements and/or Additional Mitigation

N/A

Environmental Justice Finding

The purpose of Executive Order 12898 is to identify, address, and avoid disproportionately high and adverse human health or environmental effects on minority and low-income populations. Readily identifiable minority and/or low-income populations are affected by the project. However, after considering mitigation, off-setting benefit, and public engagement, the adverse effects of the project will not be predominately borne by a minority or low-income population, nor will they be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority or non-low-income population. Therefore, the proposed action will not have disproportionately high or adverse human health or environmental effects on any minority population or low-income population.