

## CHAPTER 10

# EQUITY AND ENVIRONMENTAL JUSTICE

### Introduction

An important consideration for the 2040 Transportation Policy Plan is its impact on all populations in the Minneapolis-Saint Paul region, particularly those who have been historically underrepresented in regional planning efforts, including communities of color, American Indians, low-income households, people with disabilities, and people with limited English proficiency. Past plans were required to adhere to federal requirements for environmental justice; this plan further responds to additional aspirations for equity set forth in Thrive MSP 2040. This section describes the plan's responses to both federal requirements and regional aspirations.

Federal guidance for evaluating impacts is derived from Title VI of the Civil Rights Act of 1964 as well as Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-income Populations. Under the executive order, transportation plans and programs (1) must provide a fully inclusive public outreach program; (2) should not disproportionately impact minority and low-income communities, and (3) must assure the receipt of benefits by minority and low-income populations. The TPP addresses these three principles and they were considered throughout the decision-making process. The analysis section of this chapter discusses these in more detail. These principles must also be considered in the project design and implementation phases for future specific projects.

Regional guidance for pursuing equity is outlined in Thrive MSP 2040, the Metropolitan Development Guide required by Minn. Stat. 473.145. Thrive elevates equity to one of five fundamental outcomes of the regional vision. Equity connects all residents to opportunity and creates viable housing, transportation, and recreation options for people of all races, ethnicities, incomes, and abilities so that all communities share the opportunities and challenges of growth and change. For our region to reach its full economic potential, all of our residents must be able to access opportunity. Our region is stronger when all people live in communities that provide them access to opportunities for success, prosperity, and quality of life.

In the following pages, the terms "people of color" and "low-income households" are used to address the federal environmental justice requirements for "minority and low-income." Where regional approaches to pursuing equity are discussed, broader language is used, such as "all races, ethnicities, incomes and abilities."

### Identification of Populations

Thrive MSP 2040 identifies equity to extend across people of all races, ethnicities, incomes, and abilities. It identifies Areas of Concentrated Poverty, defined as contiguous census tracts where at least 40% of residents live in households with incomes below 185% of the federal poverty line. It further

identifies, as particularly vulnerable, Areas of Concentrated Poverty where at least 50% of the residents are people of color.

Federal guidance on Environmental Justice applies to low-income households and people of color. This guidance defines people of color as all persons who are not white/non-Latino. While Environmental Justice applies regardless of population size, identifying concentrations of potentially affected populations is useful for application to system-level planning.

For the purposes of regional analysis, regional percentages were calculated at the Census tract level for low-income households and people of color using the 2014-2018 American Community Survey. Under this analysis, 26.3% of the region's population are people of color or American Indians, 9.3% of the region's population live with incomes below 100% of the federal poverty level, and 20% of the region's population live with incomes below 185% of the federal poverty level. These regional percentages are used to identify Census tracts with populations above the regional percentage.

## Analysis of Plan Investments and Strategies

### Qualitative

Specific strategies and investments identified in the Transportation Policy Plan serve to create benefits or mitigate impacts to historically underrepresented populations, including communities of color, low-income households, people with disabilities, and people with limited English proficiency. This section highlights the specific plan strategies that support these groups of people. The discussion of strategies focuses on topical areas that relate to the plan's goals. Following the discussion of plan strategies, a series of maps show the location of plan investments in relation to people of color and people with low-incomes in the region.

### Public Engagement

The 2040 Transportation Policy Plan was prepared under the Metropolitan Council's Public Participation Plan for Transportation Planning, which meets requirements of 23CFR§450.316 and federal guidance on Environmental Justice. The TPP has built upon the extensive outreach and engagement, including targeted community engagement with historical underrepresented communities that informed Thrive MSP 2040. Over the course of two years, the Metropolitan Council engaged with thousands of the region's residents, staff, and elected officials about their vision for the region. In 2015, the Metropolitan Council developed a Public Engagement Plan that establishes policy for all Metropolitan Council engagement activities. The plan outlines how the Metropolitan Council will work collaboratively with constituencies to assess and plan community engagement by setting shared outcomes and expectations. Metropolitan Council staff and funding will support these processes to assure access for all identified constituencies, but particularly those that are traditionally underrepresented in regional and local planning efforts. When possible and appropriate, the Metropolitan Council may support community organization work with financial resources to engage appropriate constituencies. Each engagement project will require a tailored process, but the Public Engagement Plan established principles that will be consistently applied across the Metropolitan

Council. The eight principles of engagement in the plan are: equity; respect; transparency; relevance; accountability; collaboration; inclusion; and cultural competence. Transportation Policy Plan Healthy and Equitable Communities strategy E6 commits the Metropolitan Council and its regional transportation partners to foster public engagement in systems planning and in project development.

## Healthy and Equitable Communities

Historically, transportation investment decisions that encroached upon, divided, or displaced neighborhoods, and cut off access to the regional transportation system or blocked multimodal options have done great harm to communities of color and low-income households. Healthy and Equitable Communities strategies E3, E4, E6, and E7, and Access to Destinations strategies C4 and C17 require regional transportation partners to consider the needs of all users, promote cohesive communities, protect and enhance the cultural and built environment, and avoid adverse impacts on communities of color and low-income households. Air pollution concentrations are disproportionately higher in many lower-income neighborhoods. Healthy and Equitable Communities strategies E1 and E2 continue the region's commitment to reduce air pollutant emissions and their impact on human health.

## Safety and Security

It is important to note that not everyone has the same experience using the region's transportation system; analyses of enforcement data show that people of color experience disproportionate traffic stops or enforcement on transit. The [2003 Minnesota Statewide Racial Profiling Study](#), done by the University of Minnesota Law School at the request of the state legislature, found that "drivers of color are over-represented among those stopped; over-represented among those searched; and under-represented among those found to have contraband on their person or in their vehicle as a result of being searched." In 2015, [Metro Transit analyzed its police incident data by race](#) and found disparities in its treatment of people of color. Recent Metro Transit data indicates these disparities have been reduced after changes to training and procedures. Because Minnesota does not require local police departments to collect traffic stop data, there is currently no consistent database to use for routine analysis on potential racial disparities across jurisdictions, although individual cities may track their traffic stop data and include race. Safety and security strategy B8 addresses the need for regional transportation partners to ensure that police and public safety agency enforcement programs and actions do not create or perpetuate racial inequities.

## Transit and Pedestrian Safety

People of color, low-income residents, and people with disabilities currently use the regional transit and pedestrian systems at higher rates than the general population (according to 2010 TBI data) and are more likely to be vulnerable when they are traveling. Safety and security strategies B5 and B6 focus on safety and security of the transit system and pedestrians, which will benefit these populations. Strategy B8 calls for ensuring that police and public safety agency actions on the transportation system do not create or perpetuate racial inequities.

## Provision of Options

Key to the philosophy of the Transportation Policy Plan is the provision of modal options. Since low-income residents are less likely to own or have reliable access to automobiles (according to 2008-12 American Community Survey data) and the expense of owning a personal vehicle can create a higher cost burden, expansion of travel options, such as walking, transit and bicycling, that provide access to employment and other opportunities is especially important to these residents. Access to Destinations strategies C1, C2, C3, Competitive Economy strategies D3, Healthy and Equitable Communities strategy E3, and Transportation and Land Use strategies F3, F4, F5, F6 all emphasize the multimodal nature of the system and the importance of connections.

The TPP calls for significant expansion of the transitway system. Important prioritizing criteria for transitways include providing access to regional jobs and activity centers throughout the region, including historically underrepresented communities and promoting equity through increased access to opportunity.

A major focus of highway investments in the TPP is the expansion of the MnPASS system (Access to Destinations strategy C5). The priced managed lanes on the MnPASS system give all users, including low-income users, a potential option to avoid severe congestion. Survey data from existing MnPASS lanes shows that they are broadly supported and used by users of all income levels. Despite the price, MnPASS can provide high-value travel time insurance which can be especially valuable to more vulnerable populations. The provision of MnPASS lanes as well as bus-only shoulders provides transit users greater access to employment and other opportunities.

The TPP calls for the implementation of more pedestrian access, particularly in job concentrations through Access to Destinations strategies C2, C4, C16, C17, Healthy and Equitable Communities strategy E3, and Transportation and Land Use strategies F5 and F6.

## Focus on Preservation

The TPP emphasizes preservation and maintenance of the existing system through Transportation System Stewardship strategies A1 and A2. While an equity assessment of historical preservation and maintenance investments and system condition has not been performed, higher concentrations of low-income households and people of color can be found in older areas of the region which would benefit from an increased focus on preservation.

## Transit Service Planning

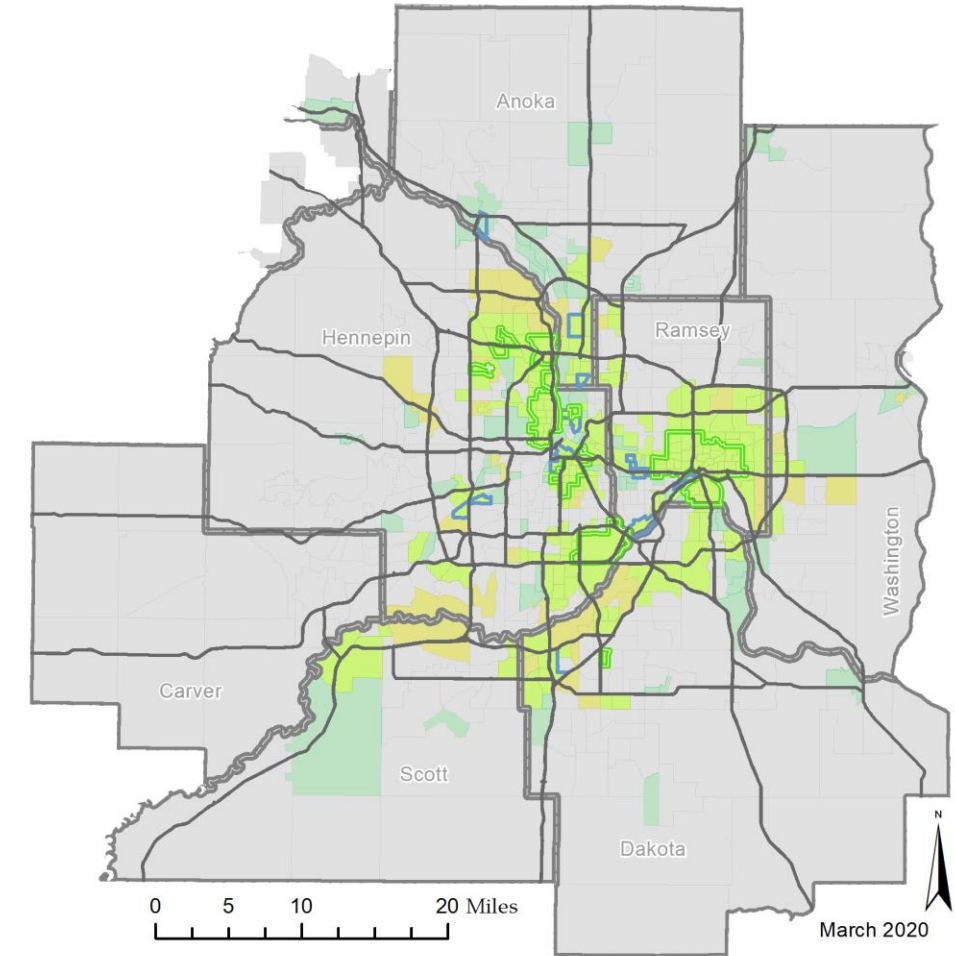
Many of the TPP's strategies are aimed at preserving and improving the transit system in the core of the region, where the highest concentrations of low-income households and communities of color can be found. Transportation System Stewardship strategy A3 calls for transit service to be aligned with Transit Market Areas; vehicle availability is a component of the definition of Transit Market Areas. Access to Destinations strategies C13 and C14 call for continued provision of paratransit and dial-a-ride service to benefit people with disabilities and those without access to vehicles throughout the region. Equity is a factor in bus expansion prioritization in the Regional Service Improvement Plan. In

compliance with federal Title VI and Environmental Justice guidance, transit providers perform equity analysis of any major service or fare changes on people of color, low-income residents, and people with limited English proficiency.

## **Spatial Analysis of Investments**

The following series of figures (10-1 through 10-5) identifies the populations of color and low-income residents in the Twin Cities region, as well as the highway, bicycle system and transit investments within those areas. Analysis of the location of projects relative to historically underrepresented communities, as well as the location of their positive benefits and negative impacts is also recommended at the local and project level.

**Figure 10-1: Population and Existing Highway System**



- ~ Principal Arterial Highways
- Populations of Color / People in Poverty**
  - Areas of Concentrated Poverty where 50% or more of residents are people of color
  - Areas of Concentrated Poverty (40% or more in poverty)
- Regional Percentage by Tract**
  - Both Poverty + Pop. of Color Below Regional %
  - Both Poverty + Pop. of Color Above Regional %
  - Pop. of Color Above Regional %
  - Individual Poverty Above Regional %

**People in Poverty**

The census defines individual poverty at two levels, 100% of poverty and 185% of poverty. This map highlights census tracts with higher than regional percentages at either level.

100% poverty regional percentage is 9.3%  
 185% poverty regional percentage is 20.0%

**Population of Color**

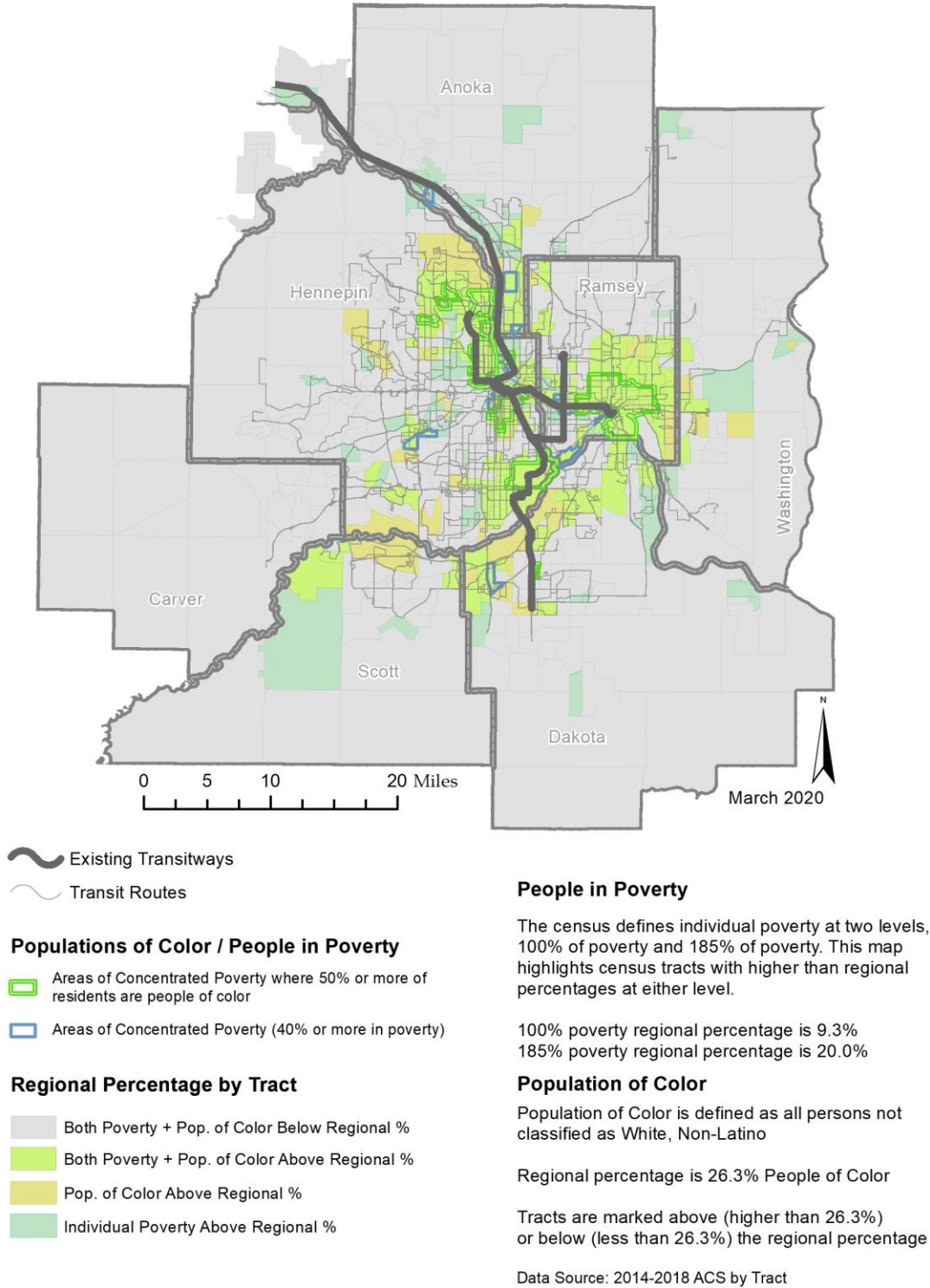
Population of Color is defined as all persons not classified as White, Non-Latino

Regional percentage is 26.3% People of Color

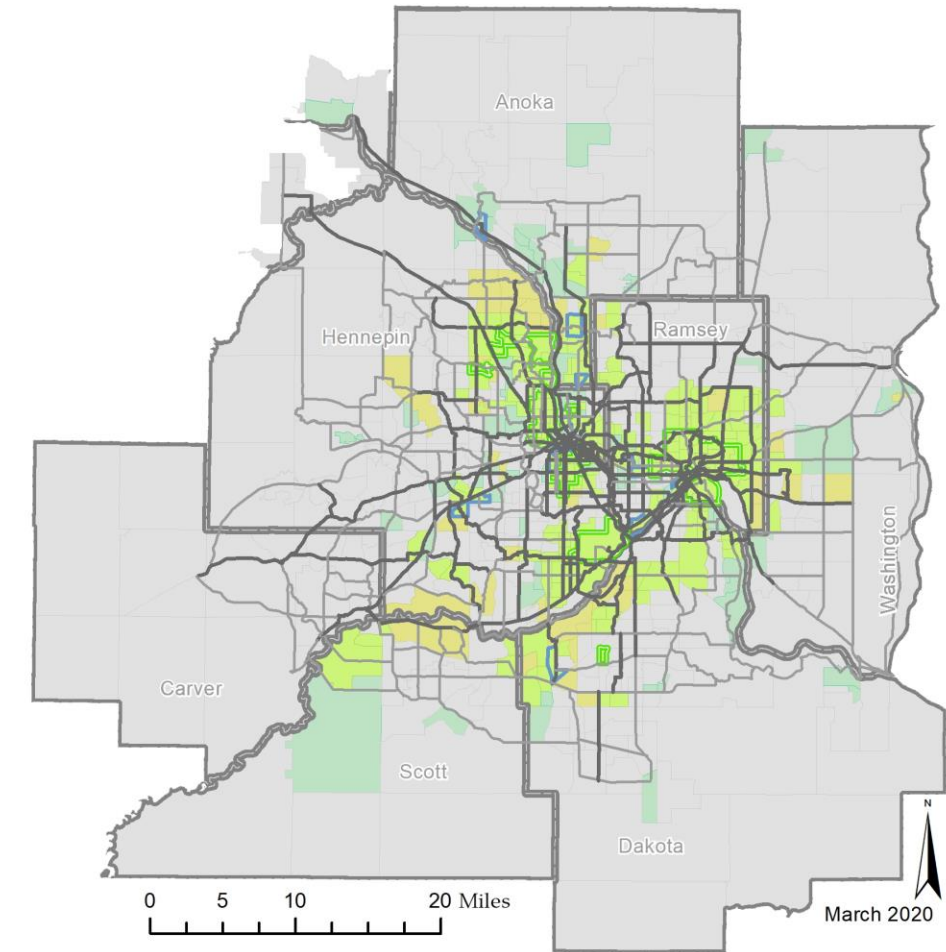
Tracts are marked above (higher than 26.3%) or below (less than 26.3%) the regional percentage

Data Source: 2014-2018 ACS by Tract



**Figure 10-2: Population and Existing Transit System**





**Figure 10-3: Population and Regional Priority Corridors for Bicycle Infrastructure**






**Regional Bicycle Transportation Network (RBTN)**

-  Tier 1: Priority Alignments & Corridors
-  Tier 2: Alignments & Corridors

**Populations of Color / People in Poverty**

-  Areas of Concentrated Poverty where 50% or more of residents are people of color
-  Areas of Concentrated Poverty (40% or more in poverty)

**Regional Percentage by Tract**

-  Both Poverty + Pop. of Color Below Regional %
-  Both Poverty + Pop. of Color Above Regional %
-  Pop. of Color Above Regional %
-  Individual Poverty Above Regional %

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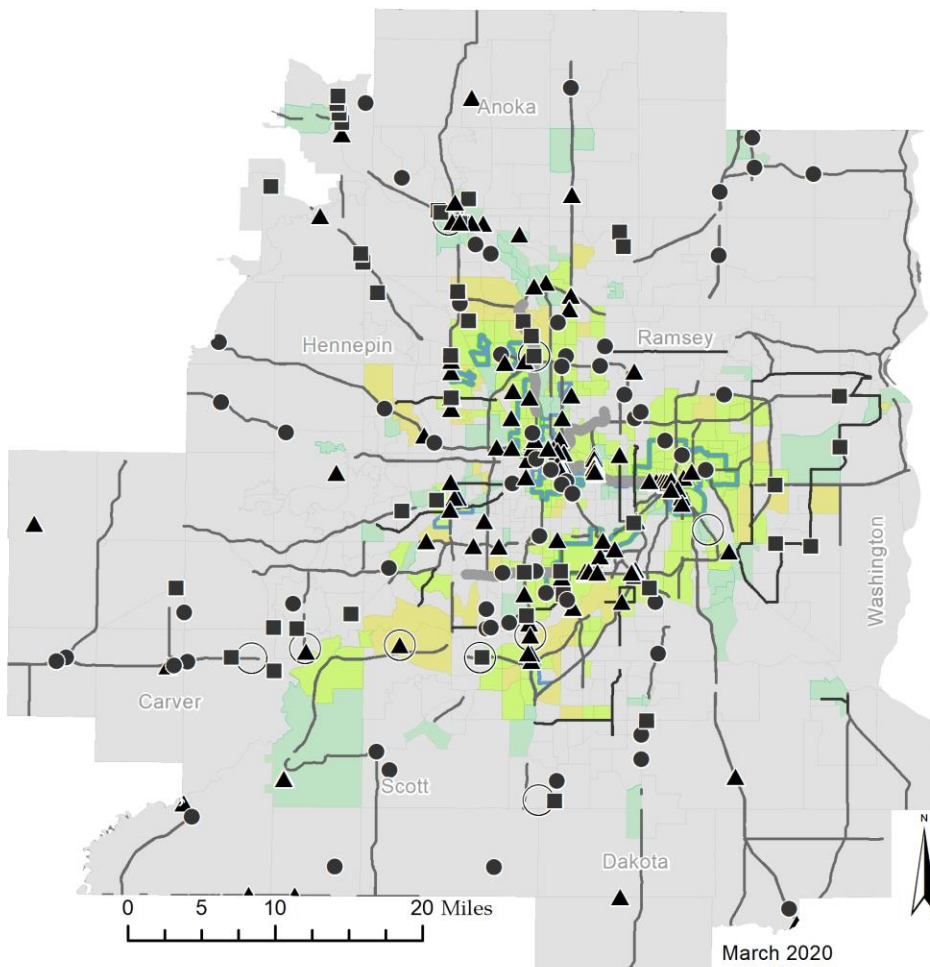
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Data Source: 2014-2018 ACS by Tract



**Figure 10-4: Population and 2040 Highway Investments (Current Revenue Scenario)**



**Current Revenue Highway Projects**

see Figure 5-8

- Mobility Projects
- Preservation Projects
- MnDOT Tier 1 MnPASS
- Pavement
- Safety
- Freight

**Populations of Color / People in Poverty**

- Areas of Concentrated Poverty where 50% or more of residents are people of color
- Areas of Concentrated Poverty (40% or more in poverty)

**Regional Percentage by Tract**

- Both Poverty + Pop. of Color Below Regional %
- Both Poverty + Pop. of Color Above Regional %
- Pop. of Color Above Regional %
- Individual Poverty Above Regional %

**People in Poverty**

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**Population of Color**

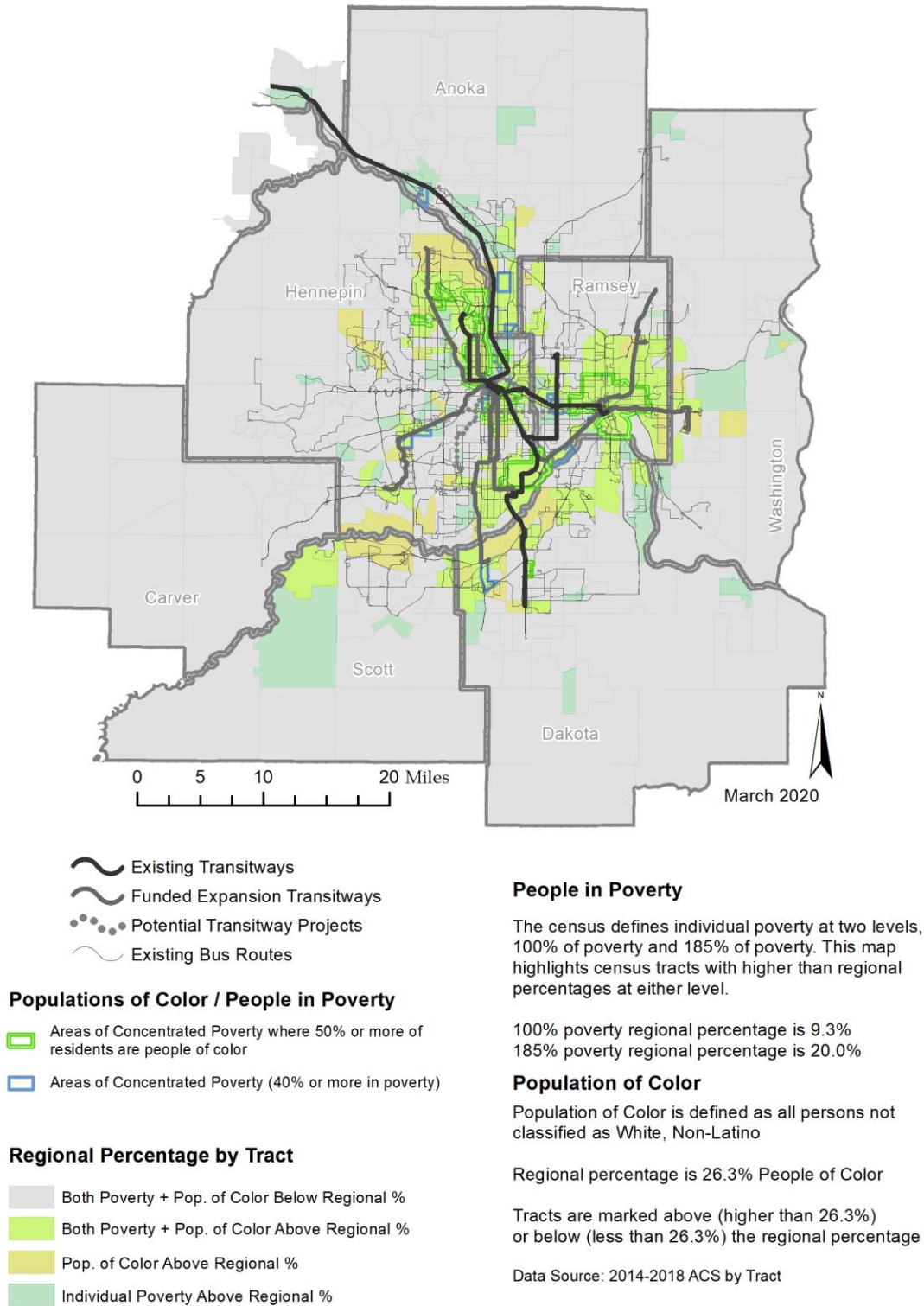
Population of Color is defined as all persons not classified as White, Non-Latino

Regional percentage is 26.3% People of Color

Tracts are marked above (higher than 26.3%) or below (less than 26.3%) the regional percentage

Data Source: 2014-2018 ACS by Tract

**Figure 10-5: Population and 2040 Transit Investments (Current Revenue Scenario)**



# Quantitative Analysis of Plan Investments and Strategies

A spatial analysis reveals where projects are located. Highway and transit investments provide benefits to people living well beyond the immediate area of the project, and in some cases provide little benefit to people living immediately alongside. One way of capturing the benefits is through accessibility, in this case measuring cumulative access to employment within a reasonable time period for the general population, for people of color, and for low-income households. To quantify benefits of the plan’s highway and transit investments, an accessibility analysis was done using the regional model for employment and other community amenities.

## Highway and Transit Accessibility

The number of jobs reachable within 20 minutes from home by each household in the region was calculated by the regional model, and this was aggregated across the region for the general population and for people of color. While the overall population of color will increase from 24% to 39% by 2040 and the distribution will change as well, data limitations required that this analysis be performed assuming existing distributions of population by race/ethnicity. Low-income households will be included in future analysis due to current technical challenges with the model.

To examine accessibility to jobs and other community amenities, such as colleges and universities, hospitals, shopping centers, and libraries, the number of each type of destination within 20-minute access by driving or by riding transit was totaled. The total number was multiplied by the number of people of color within each Transportation Analysis Zone (TAZ) and totaled for all TAZs, then divided by the total number of people of color within the region. This provides a weighted average across the region of the number of amenities that can be reached within 20 minutes. The same methodology was used for total population within the region as a comparison. Accessibility was compared between the no build scenario, which is the existing transportation system with future populations, and the current revenue scenario, which is fiscally constrained.

**Table 10-1: Accessibility Changes with 2040 Highway and Transit Investments (Current Revenue Scenario Compared to No Build)**

	People of Color	Total Population
<b>Total Jobs</b>		
Drive	<u>1.5%</u>	<u>2.0%</u>
Transit	<u>7.4%</u>	<u>5.2%</u>
<b>Retail Jobs/Shopping Opportunities</b>		
Drive	<u>1.4%</u>	<u>1.8%</u>
Transit	<u>7.5%</u>	<u>5.1%</u>

	People of Color	Total Population
<b>Colleges &amp; Universities</b>		
Drive	<u>1.6%</u>	<u>2.1%</u>
Transit	<u>4.3%</u>	<u>2.6%</u>
<b>Hospitals</b>		
Drive	<u>2.0%</u>	<u>2.2%</u>
Transit	<u>9.8%</u>	<u>9.5%</u>
<b>Shopping Centers</b>		
Drive	<u>1.4%</u>	<u>1.7%</u>
Transit	<u>74.8%</u>	<u>61.9%</u>
<b>Libraries</b>		
Drive	<u>1.7%</u>	<u>2.0%</u>
Transit	<u>3.5%</u>	<u>2.3%</u>

The highway and transit investments in the current revenue scenario increase accessibility to jobs and other community amenities by both automobile and transit for both people of color and the total population. Percent increases in accessibility by automobile were similar for both people of color and the total population. Transit investments in the current revenue scenario provide higher percentage increases in accessibility for every destination type for people of color compared to the total population.

## Populations in Proximity to the Regional Highway System

In the 20-Year Minnesota State Highway Investment Plan, MnDOT analyzed environmental justice populations near the state highway system. For the region, the Regional Highway System includes highways designated as principal arterials, which also make up the federally-designated National Highway System (NHS), and A-minor arterial roadways. Principal arterials are generally limited-access highways and freeways. A-minor arterial roadways support and supplement principal arterials and provide access to jobs and education.

To determine if there were more environmental justice populations in proximity to the Regional Highway System, these populations within a quarter-mile of principal arterials and A-minor arterials were compared to their overall percentages of population within the region. As shown in Table 10-2, environmental justice populations have higher concentrations near principal arterials compared to A-minor arterials, and the percentages of environmental justice populations living within a quarter-mile of either principal or A-minor arterials are higher than they are in the region's population.

**Table 10-2: Environmental Justice Populations Near the Regional Highway System**

Population	Within ¼ Mile of Principal Arterials	Within ¼ Mile of A-Minor Arterials	Region
Persons below the poverty level	15.8%	13.1%	9.3%
Total populations of color	37.8%	32.7%	26.4%
White Alone	62.2%	67.3%	73.6%
Black Alone	15.8%	13.0%	9.2%
American Indian & Alaska Native Alone	0.7%	0.6%	0.5%
Asian Alone	8.6%	7.9%	7.2%
Native Hawaiian or Other Pacific Islander Alone	0.0%	0.0%	0.0%
Some Other Race Alone	0.2%	0.2%	0.2%
Two or More Races	3.7%	3.4%	3.0%
Hispanic	8.8%	7.5%	6.2%

Source: U.S. Census, 2014-2018 American Community Survey 5-Year Estimates, Block Group Level

In 2015, the Minnesota Pollution Control Agency released the report *Life and Breath: How Air Pollution Affects Public Health in the Twin Cities*. Done in collaboration with the Minnesota Department of Health, the report found that people of color and people living in poverty are among the population groups most affected by air pollution. In 2019, these agencies released a similar report for the entire state, reporting results at the county level. Considering that vehicle traffic is a major source of air pollution, the higher concentrations of people of color and people living in poverty within a quarter-mile of principal and A-minor arterials could be experiencing health impacts from transportation-related air pollution.

## Statement of Environmental Justice Compliance

After analyzing the distribution of programs, strategies, and projects identified in the 2040 Transportation Policy Plan, and the location of historically underrepresented populations in the region, it can be concluded that any benefits or adverse effects associated with implementing the plan are not distributed to these populations in a manner significantly different than to the region's population as a whole.

During the project selection and project development processes, individual programs and projects will be further evaluated for potential disproportionate and adverse effects on these population groups.

## Inclusion in Regional Solicitation

In 2014, the Transportation Advisory Board and the Metropolitan Council completed an evaluation and redesign of how the region distributes federal transportation funding through its competitive process. Based on Thrive MSP 2040 and the Transportation Policy Plan, equity, including affordable housing, was included in the 2014 solicitation as part of the prioritization criteria. This criterion has continued to be used with some refinement for the [2020 solicitation](#). [In November 2019, the Council hosted workshops for potential applicants on engaging underrepresented populations.](#)

## Title VI Compliance

Title VI of the Civil Rights Act of 1964 provides that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Federal guidance on Title VI implementation requires that MPOs submit a Title VI report that includes:

- A demographic profile of the metropolitan area that includes identification of the locations of minority populations in the aggregate
- A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
- Demographic maps that overlay the percent minority and non-minority populations as identified by Census or ACS data, at Census tract or block group level, and charts that analyze the impacts of the distribution of state and federal funds in the aggregate for public transportation purposes, including federal funds managed by the MPO as a designated recipient
- An analysis of impacts that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact

These items are included in the Metropolitan Council's [Title VI Compliance and Implementation Plan](#), adopted on January [22, 2020](#).

## Work Program Items

While Environmental Justice analysis has been required in regional transportation planning for decades, new federal guidance as well as the adoption of Thrive MSP 2040 has elevated equity and the role of transportation planning in advancing equity.

Some work in this arena has already begun. Choice, Place and Opportunity: An Equity Assessment of the Twin Cities Region (2014) analyzed the region and its investments to understand patterns of need and possibilities. Continuing work by regional partners such as the Partnership for Regional Opportunity

are moving ahead to address equity problems in a broad collaboration. The Metropolitan Council will continue to participate in such activities to inform strategic use of its investments.

More work will be required to fully integrate equity analysis into the center of the planning process. Toward this end, the Metropolitan Council will engage in the following activities:

- Implement the Public Participation Plan
- Continue to advance the understanding and role of transportation in achieving equity in the region by collaboration with public, private and non-profit partners
- Operationalize the use of an equity lens throughout transportation decision making to help ensure that transportation policies, practices, and procedures advance equity rather than create barriers to equity
- Working in partnership with MnDOT, analyze appropriate TPP performance measures with an equity lens to determine and track if there are disparities in status based on race, ethnicity, income, or ability, where possible
- Study potential disparities in preservation and maintenance spending and transportation facility condition by race/ethnicity and income
- Study potential disparities in safety outcomes by race/ethnicity and income
- Re-evaluate methodologies used for population identification and environmental justice analysis, and identify methods for including people with low incomes in future accessibility analyses
- Ensure work relating to emerging technologies addresses equity

Due to the onset of COVID-19 in early 2020, overall travel demand, as well as travel patterns and modes, for work, school and other activities may have shifted. It is unclear what kind of impacts any short-term or long-term travel changes may have for different population groups. A Work Program item has been added in Chapter 14 to better understand the longer-range implications from COVID-19 for all travel modes, including ~~and~~ how these changes might impact equity. We do know that Minnesota has some of the greatest health and economic disparities in the country between whites and people of color and American Indians. We also recognize the heavy toll the COVID-19 outbreak is taking on communities that are already significantly impacted by these inequities. Our region needs to address these inequities as part of a broad range of public investments in housing, transportation, education, and economic opportunity.