

Environmental Justice Plan

Coulee Region Transportation Study

"Innovative Solutions for the 21st Century"
Planning and Environment Linkages (PEL)

WisDOT Project I.D. 1630-08-00

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"Innovative Solutions for the 21st Century"
Planning and Environment Linkages

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1.0 Background

The Wisconsin Department of Transportation (WisDOT) is conducting the Coulee Region Transportation Study, a Planning and Environment Linkages (PEL) process in the Coulee Region. The study focuses on existing and long-term transportation challenges in the Coulee Region. The purpose of the study is to identify strategies that address safety, infrastructure deterioration, congestion, multimodal deficiencies, the environment, and support economic development and livability in the Coulee Region.

Some of these issues relate to unreliable travel times and increased crash costs. Others are associated with negative economic and environmental consequences for area residents, commuters, businesses, and freight movements. Because of these problems, WisDOT is conducting a study that will broadly evaluate regional transportation strategies and will feed into future National Environmental Policy Act (NEPA) environmental studies of the Coulee Region. PEL is a Federal Highway Administration (FHWA) initiative that considers transportation, environmental, community, and economic goals early in the planning stage and carries them through environmental documentation and construction.

For the Coulee Region Transportation Study (CRTS), extensive public involvement will be conducted to screen broad strategies and options during the PEL process. The Coulee Region Transportation Study will:

1. Develop a Problem Statement, Goal, and Objectives for the study area.
2. Develop screening criteria that will be used to evaluate alternative strategies.
3. Develop alternative strategies that may address the study area Problem Statement, Goal, and Objectives.
4. Evaluate alternative strategies.
5. Identify alternative strategies that address the Problem Statement, Goal, and Objectives that should move forward into the formal environmental documentation process that follows the National Environmental Policy Act (NEPA) requirements.
6. Document findings in a draft and final report.

2.0 Coulee Region Transportation Study Work Plan

The CRTS Work Plan uses multiple stages to identify strategies that address transportation problems in the Coulee Region. With each stage, the CRTS narrows its focus from broad countywide strategies to geographically centered and detailed strategies. Project objectives and screening criteria are initially developed in Stage 2, then reevaluated and refined in subsequent stages. Likewise, the broad strategies developed in Stage 2 that advance, are refined and developed in greater detail as the analysis and evaluation process continues through the later stages. Each stage may identify strategies that do not advance. The multistage approach allows the study to devote the appropriate amount of detail and effort to the development, analysis, and evaluation of each range of alternative strategies. A Public Involvement Plan (PIP) has been developed for the study that spans the five stages of the Work Plan. This Environmental Justice Plan is referenced in Section 6.6 of the PIP. The five stages of the PEL Work Plan are described below:

Stage 1 is the development of the Work Plan, which shows the sequence of tasks needed for the PEL study as well as coordination and decision points.

Stage 2 focuses on evaluating broad regional strategies. Tasks associated with this Stage include the following:

1. Developing a Problem Statement, Goal, and Objectives as well as screening criteria.
2. Developing an Existing Conditions Report.
3. Developing and evaluating broad strategies. Stage 2 also identifies strategies to dismiss and to advance to Stage 3.

Stage 3 will refine and reevaluate concepts advanced from Stage 2. These refined strategies are likely to be more geographically focused than the broad regional strategies evaluated in Stage 2.

1. Develop Screening Criteria.
2. Develop and evaluate strategies.
3. Recommend strategies to dismiss and advance.

Stage 4, if necessary, will consist of one more level of refinement and reevaluation of concepts advanced from Stage 3.

Stage 5 prepares the draft and final PEL report. The report will dismiss concepts that do not address the PEL Problem Statement, Goal, and Objectives and identify concepts that should advance to the NEPA stage of project development. It will also identify environmental and social considerations of these concepts.

3.0 What is Environmental Justice?

This plan identifies census tracts of La Crosse County that have high percentages of low-income populations or minority populations based on census data provided by the United States Census Bureau. These point out areas where potential environmental justice populations may exist. Future NEPA studies will identify environmental justice populations that may be affected by strategies developed from this study.

Executive Order 12898 populations (EO 12898), commonly called the Executive Order on Environmental Justice, focuses on low-income and minority populations. EO 12898 states that "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. It is FHWA's continuing policy to identify and prevent discriminatory effects by actively administering its programs, policies, and activities to ensure that social impacts to communities and people are recognized early and continually throughout the transportation decision-making process from early planning throughout implementation."¹

The Executive Order on Environmental Justice addresses disproportionately high and adverse effects on minority populations and low-income populations. The Executive Order defines low-income populations and minority populations as follows:

- A minority population is defined as any readily identifiable group of minority persons who live in geographic proximity to the project area.
- Low-income population means any readily identifiable group of low-income persons (having a household income at or below the United States Department of Health and Human Services poverty guidelines) who live in geographic proximity to the project area.

The Executive Order defines a disproportionately high and adverse effect as:

- An adverse effect that is largely borne by a minority population and/or low-income population.
- An adverse effect that 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 Executive Order lists the three principal elements of environmental justice as follows:

- Avoid, minimize, or mitigate disproportionately high and adverse effects on minority and low-income populations.
- Ensure full and fair participation by all potentially affected communities in the transportation decision-making process.
- Prevent the denial of, reduction in, or delay in the receipt of benefits by minority and low-income populations.

¹ FHWA Order 6640.23A <http://www.fhwa.dot.gov/legsregs/directives/orders/664023a.cfm>. Efforts to address environmental justice do not create any rights, benefits, or trust responsibilities, substantive or procedural, enforceable by law or equity by a party against FHWA, its officers, or any person. Furthermore, efforts to address environmental justice by FHWA, its operating administrators, its officers, or any other person do not create any right to judicial review for compliance or noncompliance with the goals of achieving environmental justice.

The concept of environmental justice is tied to Title VI of the Civil Rights Act which prohibits discrimination on the basis of race, color, or national origin. Title VI of the 1964 Civil Rights Act requires each federal agency to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any programs or activities receiving federal financial assistance on the basis of race, color, national origin, age, sex, or disability.

In its June 14, 2012 order, the FHWA states it will administer its governing statutes to identify and avoid discrimination and disproportionately high and adverse effects on minority populations and low-income populations by:

1. Identifying and evaluating environmental, public health, and interrelated social and economic effects of FHWA programs, policies, and activities.
2. Proposing measures to avoid, minimize, and/or mitigate disproportionately high and adverse environmental or public health effects and interrelated social and economic effects, and providing offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by FHWA programs, policies, and activities, where permitted by law and consistent with EO 12898.
3. Considering alternatives to proposed programs, policies, and activities where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse human health or environmental impacts, where permitted by law and consistent with EO 12898.
4. Providing public involvement opportunities and considering the results thereof, including providing meaningful access to public information concerning the human health or environmental impacts and soliciting input from affected minority populations and low-income populations in considering alternatives during the planning and development of alternatives and decisions.

FHWA provides guidance on how to incorporate environmental justice into PEL studies in its question and answers fact sheet². The following is an excerpt:

How do you apply Environmental Justice to Planning and Environment Linkages (PEL)?

At the start of the planning process, planners should determine whether Environmental Justice populations exist in the study area, and should use data and other information to: (1) determine benefits to and potential negative impacts on minority populations and low-income populations from proposed investments or actions; (2) quantify expected effects (total, positive, and negative) and disproportionately high and adverse effects on minority populations and low-income populations; and (3) determine the appropriate course of action, whether avoidance, minimization, or mitigation. If issues are not addressed at the planning stage, they may arise during project development, or later when they could be more difficult to mitigate and, as a result, delay project decisions.

Using PEL, planning Environmental Justice studies and decisions can be considered for use in NEPA if the materials satisfy NEPA requirements. The planning regulations (23 CFR 450.212, 450.318, and Appendix A) and as identified in 23 CFR 771, and 40 CFR Parts 1500-1508, all outline the process agencies may use if they wish to facilitate the adoption of planning decisions and documents during NEPA scoping.

² http://www.fhwa.dot.gov/environment/environmental_justice/facts/ejfaq.cfm -accessed May, 2015

4.0 Environmental Justice Populations in the Coulee Region

The most recent and accurate data on population demographics for La Crosse County is the 2009-2013 American Community Survey 5-Year Estimate data. This data estimates population characteristics from a sample for the 5 year period. An environmental justice analysis of this data reveals that certain areas within the study area have relative high concentrations of low-income populations and minority populations compared to La Crosse County.

About 9.1 percent of the population in La Crosse County is minority, whereas some census tracts within the county are as high as 23.5 percent minority. Table 4-1 illustrates minority concentrations in La Crosse County, and Figure 4-1 highlights in red the locations of census tracts in the region that have relatively high concentrations of minority populations.

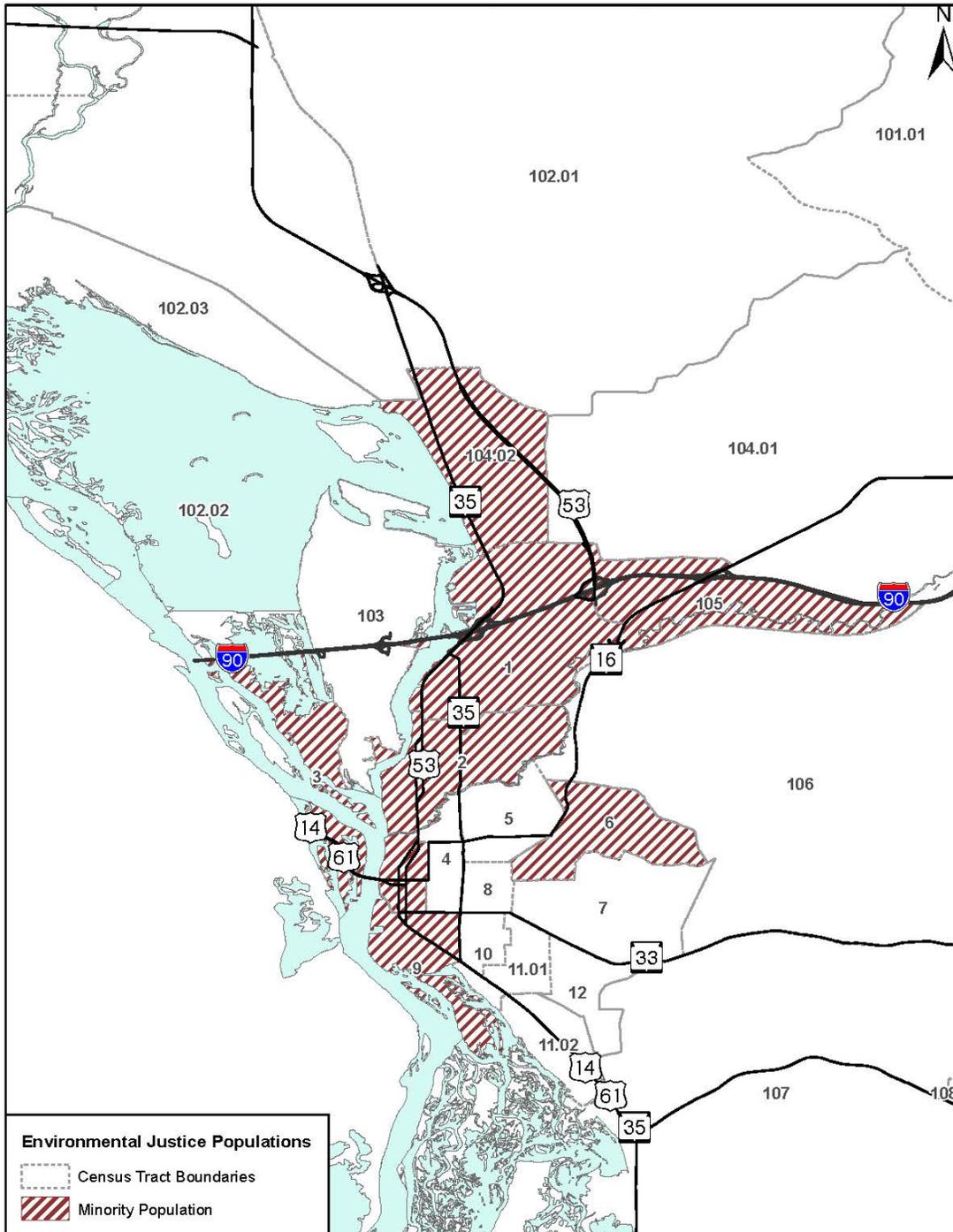
Table 4-1 – Minority Concentrations in La Crosse County

Location	Percent non-white/minority	Potential EJ impact?*
Community of Comparison (COC) (All La Crosse County tracts)	9.10	-
125% of COC	11.37	-
Census Tract 1	14.77	Yes
Census Tract 2	17.53	Yes
Census Tract 3	16.23	Yes
Census Tract 4	7.56	No
Census Tract 5	9.65	No
Census Tract 6	11.62	Yes
Census Tract 7	5.42	No
Census Tract 8	10.46	No
Census Tract 9	23.51	Yes
Census Tract 10	9.40	No
Census Tract 11.01	1.75	No
Census Tract 11.02	9.16	No
Census Tract 12	8.67	No
Census Tract 101.01	1.85	No
Census Tract 101.02	3.11	No
Census Tract 102.01	8.34	No
Census Tract 102.02	10.34	No
Census Tract 102.03	3.41	No
Census Tract 103	2.24	No
Census Tract 104.01	6.98	No
Census Tract 104.02	15.23	Yes
Census Tract 105	13.82	Yes
Census Tract 106	4.00	No
Census Tract 107	1.24	No
Census Tract 108	3.84	No

*If the percent non-white majority of an individual tract is greater than 125% of the community of comparison (COC), which in this case is the total for all tracts within the county, then that tract is deemed a potential environmental justice population, and given a "Yes". This analysis follows and FHWA approved process used by the Indiana Department of Transportation:

http://www.in.gov/indot/files/ES_EnvironmentalJusticeGuidance_2012.pdf

Figure 4-1 – Tracts with High Minority Concentrations



Low-income populations also exist within La Crosse County, and their concentration is more pronounced than the minority populations. Table 4-2 shows the U.S. Department of Health and Human Services poverty guidelines. The poverty guidelines are a version of the Federal Poverty Measure, the official measure of poverty in the US. Poverty guidelines are issued each year in the Federal Register. The guidelines are a simplification of the poverty thresholds for use for administrative purposes — for example, determining financial eligibility for certain federal programs.

Table 4-2 – 2015 Poverty Guidelines for the 48 Contiguous States and the District of Columbia³.

Persons in family/household	Poverty guideline
1	\$11,770
2	\$15,930
3	\$20,090
4	\$24,250
5	\$28,410
6	\$32,570
7	\$36,730
8	\$40,890

In La Crosse County, the average percentage of in-poverty individuals as defined by the federal poverty guidelines is 14.0 percent. Some census tracts within the county have poverty level percentages as high as 62.4 percent, Table 4-3 illustrates poverty concentrations in the Coulee Region study area. Figure 4-2 highlights in yellow the locations of census tracts in the region that have relatively high concentrations of low-income populations. Figure 4-3 overlays the two categories of environmental justice populations so their locations may be compared.

Table 4-3 – Poverty Concentrations in La Crosse County

Location	Percent Income in last 12 months below poverty level	Potential EJ Impact?*
Community of Comparison (COC) (All La Crosse County tracts)	14.02	-
125% of COC	17.53	-
Census Tract 1	6.84	No
Census Tract 2	26.93	Yes
Census Tract 3	27.53	Yes
Census Tract 4	62.39	Yes
Census Tract 5	69.60	Yes
Census Tract 6	15.60	No
Census Tract 7	5.86	No
Census Tract 8	25.05	Yes
Census Tract 9	22.75	Yes
Census Tract 10	18.22	Yes
Census Tract 11.01	12.90	No
Census Tract 11.02	16.84	No
Census Tract 12	9.28	No
Census Tract 101.01	10.07	No
Census Tract 101.02	6.75	No
Census Tract 102.01	6.98	No
Census Tract 102.02	6.90	No
Census Tract 102.03	7.25	No

³ Source: U.S. Health and Human Services: <http://aspe.hhs.gov/poverty/15poverty.cfm> Accessed May, 2015. *For families/households with more than 8 persons, add \$4,160 for each additional person.

Table 4-3 (Continued)

Census Tract 103	12.09	No
Census Tract 104.01	3.91	No
Census Tract 104.02	7.23	No
Census Tract 105	7.32	No
Census Tract 106	4.59	No
Census Tract 107	4.10	No
Census Tract 108	6.76	No

*If the percent low-income majority of an individual tract is greater than 125% of the community of comparison (COC), which in this case is the total for all tracts within the county, then that tract is deemed a potential environmental justice population, and given a "Yes". This analysis follows an FHWA approved process used by the Indiana Department of Transportation: http://www.in.gov/indot/files/ES_EnvironmentalJusticeGuidance_2012.pdf

Figure 4-2 – Tracts with High Low-Income Concentrations

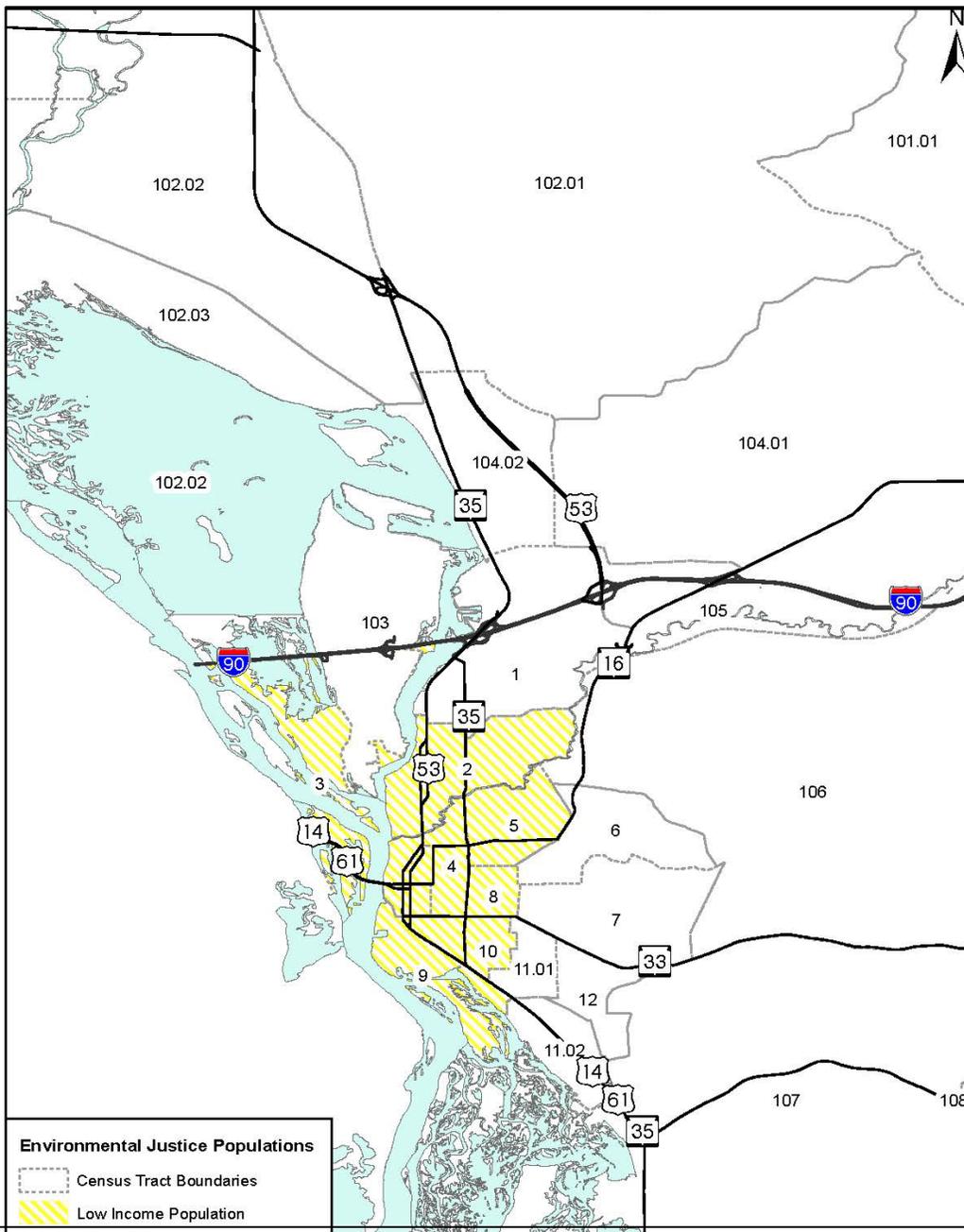
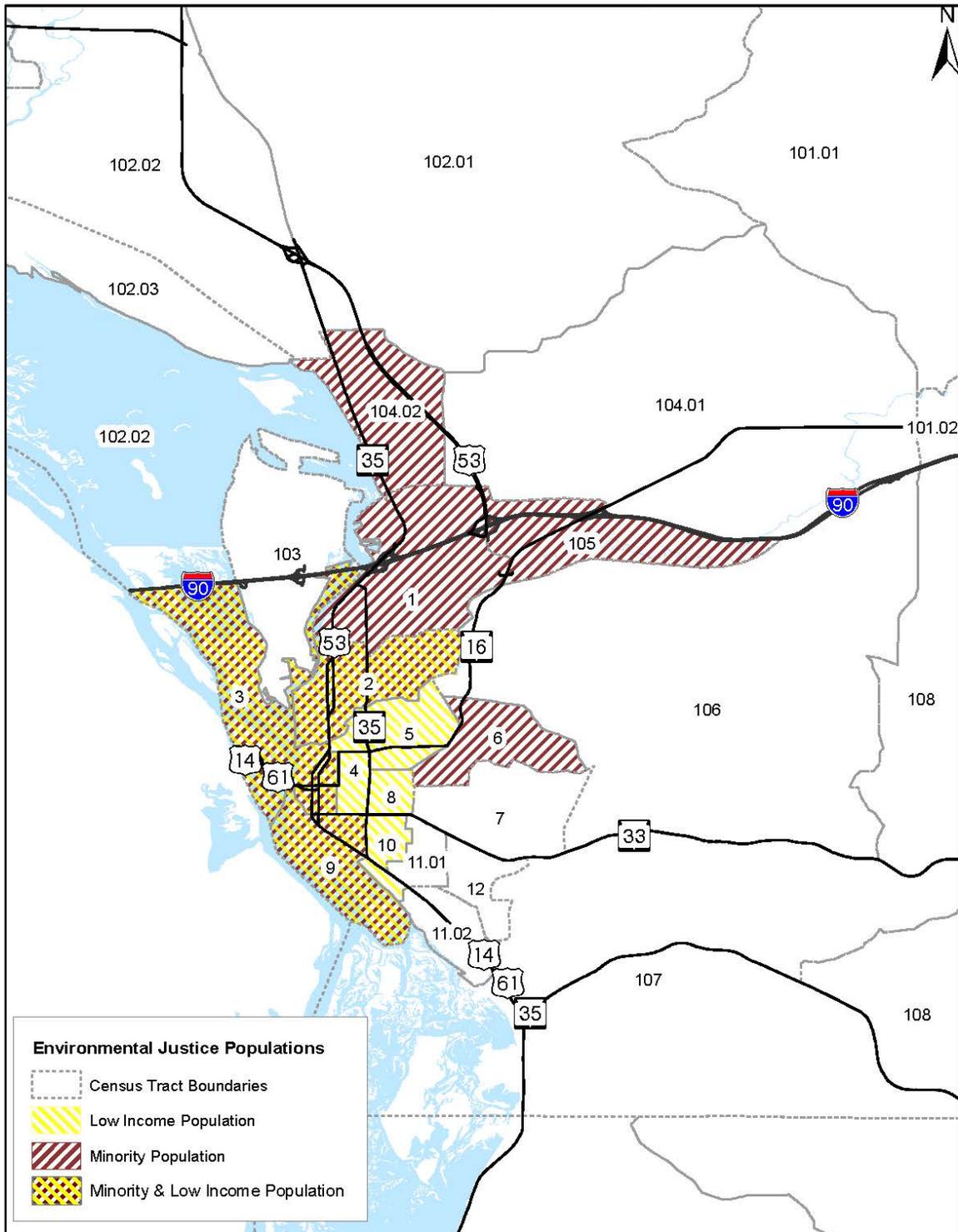


Figure 4-3 – Low-Income and Minority Populations by Census Tract⁴



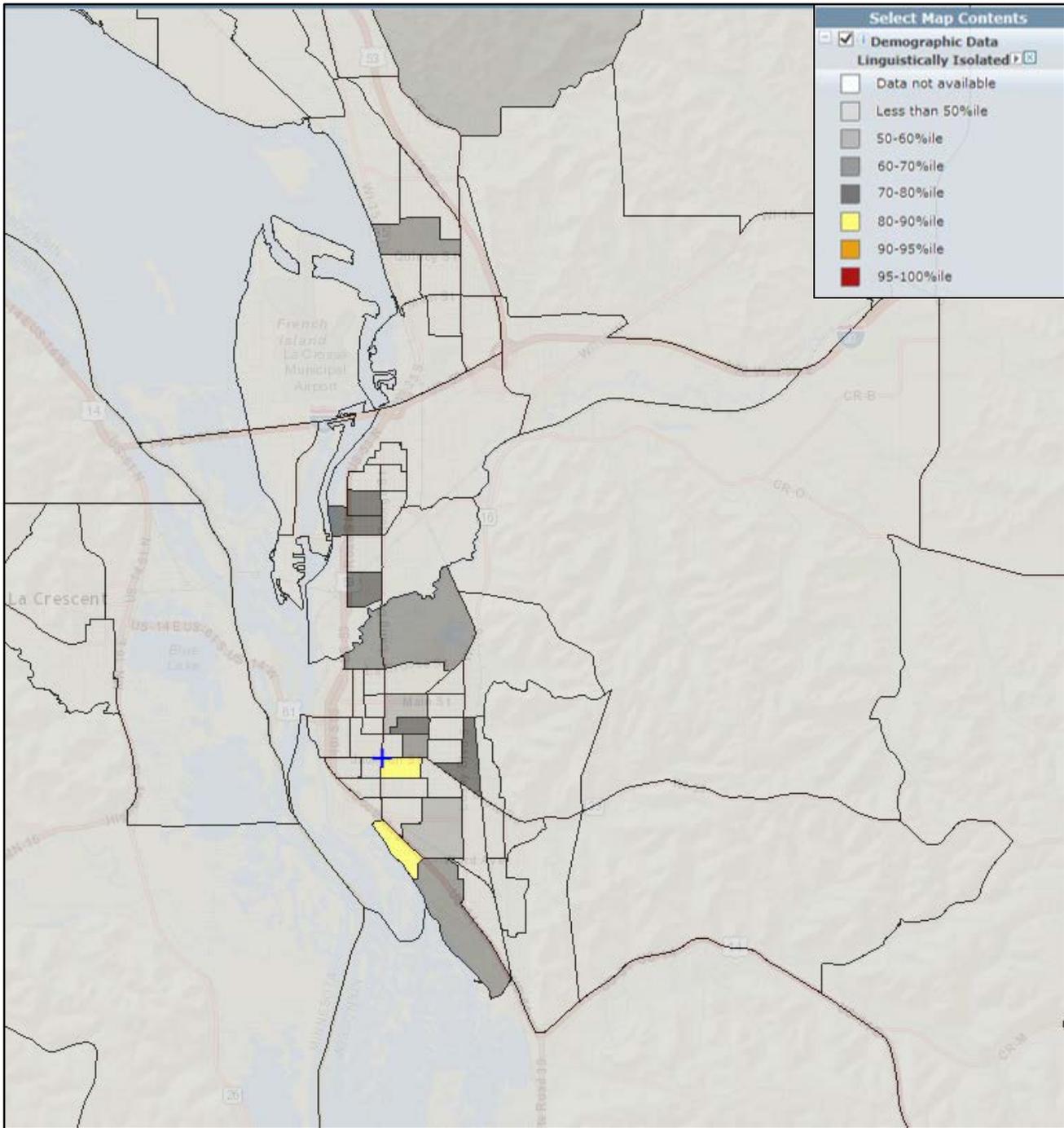
⁴ U.S. 2009-2013 American Community Survey 5-Year Estimates, U.S. Census Bureau, <http://www.census.gov>

Minority and low-income populations within La Crosse County are not evenly distributed. Therefore, a number of potential transportation strategies may have the potential to affect these populations. Possible effects may include, but are not limited to, the following:

- Segmentation between neighborhoods and other areas.
- Changes in transit routing and service levels could have a larger effect on these populations.
- Changes in the bicycle and pedestrian network could have a larger effect on these populations.

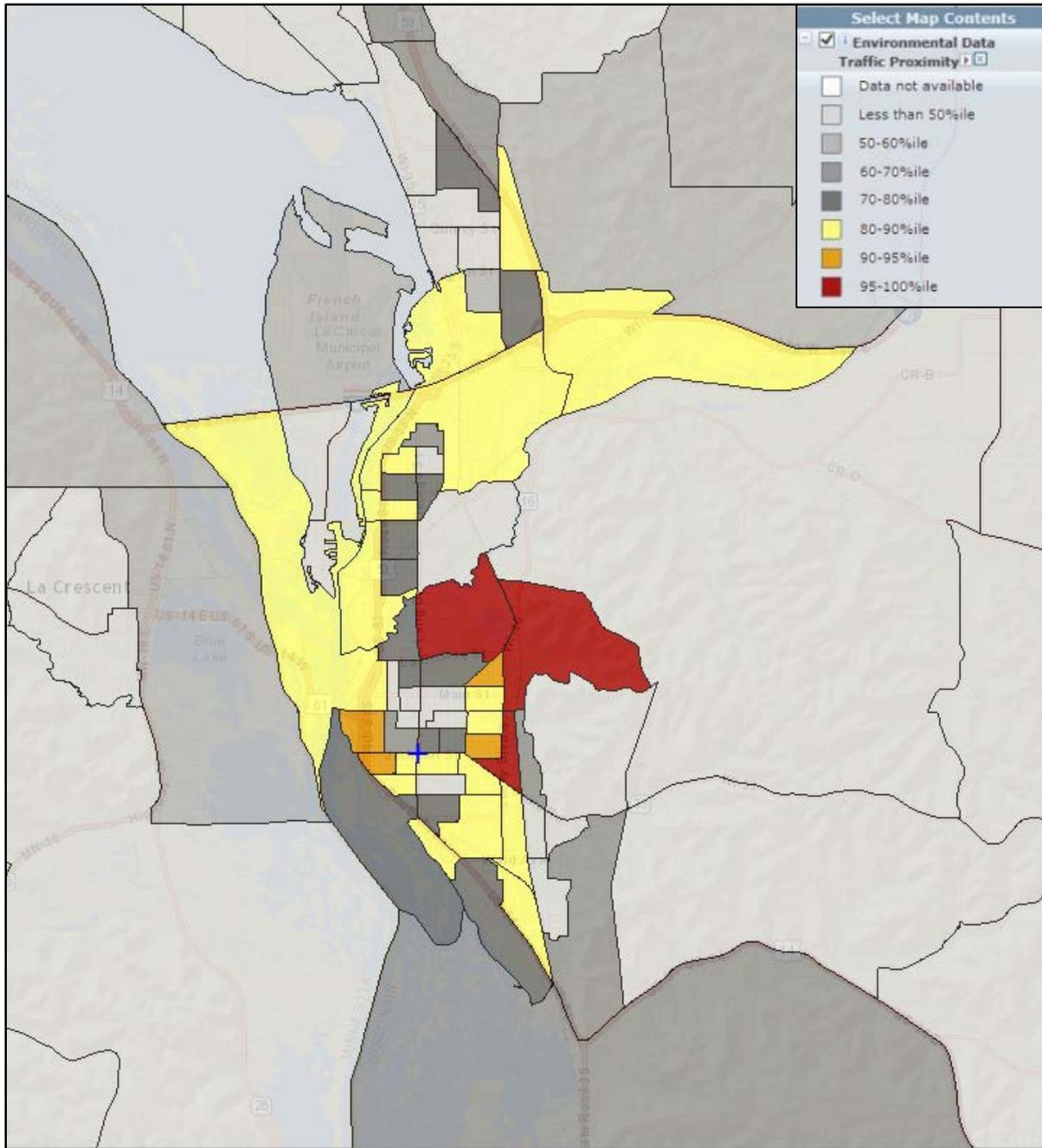
The USEPA's new EJSCREEN tool also provides census tract level data for environmental justice indicators other than race and income. With this tool, areas were identified where potential environmental justice populations may exist based on factors such as proximity to traffic (related to air quality), and linguistic isolation. Figures 4-4 and 4-5 highlight the areas where these populations exist within the region.

Figure 4-4 – Linguistically Isolated Populations in the Study Area⁵
(Relative to the Nation)



⁵ <http://ejscreen.epa.gov/mapper/>

Figure 4-5 – Populations in Close Proximity to Traffic in the Study Area⁶
(Relative to the Nation)



Throughout the study, WisDOT will work closely with the La Crosse Area Planning Committee (LAPC), the Metropolitan Planning Organization (MPO) for the study area. The LAPC's *2035 La Crosse and La Crescent Metropolitan Area Transportation Plan* includes an environmental justice component. The plan uses data from the U.S. Census Bureau to locate low-income and minority populations in the planning area.

⁶ <http://ejscreen.epa.gov/mapper/>

5.0 CRTS PEL Environmental Justice Plan

WisDOT will engage environmental justice populations through each phase of the study, and consider their input and needs. Potential impacts to these populations resulting from study improvement concepts will be analyzed and documented. As mentioned, outreach activities are discussed in the study's Public Involvement Plan (PIP). Section 6.6 of the PIP references environmental justice populations and this Environmental Justice Plan.

Stage 1 of the PEL process was the development of the Work Plan. The Work Plan contains a general outline of possible environmental justice outreach alternatives and the commitment to developing an Environmental Justice Plan.

Stage 2 of the PEL process has two components. The first component is the development of the Problem Statement, Goal, and Objectives, and the development of Screening Criteria that will be used to evaluate strategies and alternative concepts. Within this component of Stage 2, the desire is to have the Problem Statement, Goal, Objectives, and Screening Criteria incorporate and reflect the transportation needs of minority communities and low-income communities. Because this stage of the PEL process is geographically broad and improvements are not eminent, extra efforts will be made for meaningful input into these preliminary steps. The study team will reach out to many groups and individuals over the course of the study to present on the study, answer questions, and gather input. This outreach process will include organizations that represent low-income and minority populations to understand the transportation needs of these groups. The study team will contact:

- La Crosse Hmoob Cultural and Community Agency
- African American Cultural Alliance of Greater La Crosse
- The City of La Crosse's Department of Community Development
- Centro Latino
- Ho Chunk Nation – La Crosse Branch Office

Other organizations that will be contacted by the study team include:

- The La Crosse County Department of Human Services
- La Crosse Municipal Transit Utility
- Community Organizations
 - Great Rivers United Way
 - Boys & Girls Club of Greater La Crosse
- Shelters
 - Homeless Shelters and Resources (Place of Grace, Salvation Army, Catholic Charities Warming Center, Independent Living Resources, La Crosse Housing Authority)
 - Women's and Domestic Violence Shelters (YWCA of the Coulee Region [Ruth House, Ophelia's House], New Horizons)
- Food pantries and meal programs
 - West Avenue Food Emergency Resource (WAFER)
 - Salvation Army
 - Couleecap
 - The Hunger Task Force of La Crosse
- Senior Centers
 - Harry J. Olson Multi-Purpose Sr. Center
 - Onalaska Community Center

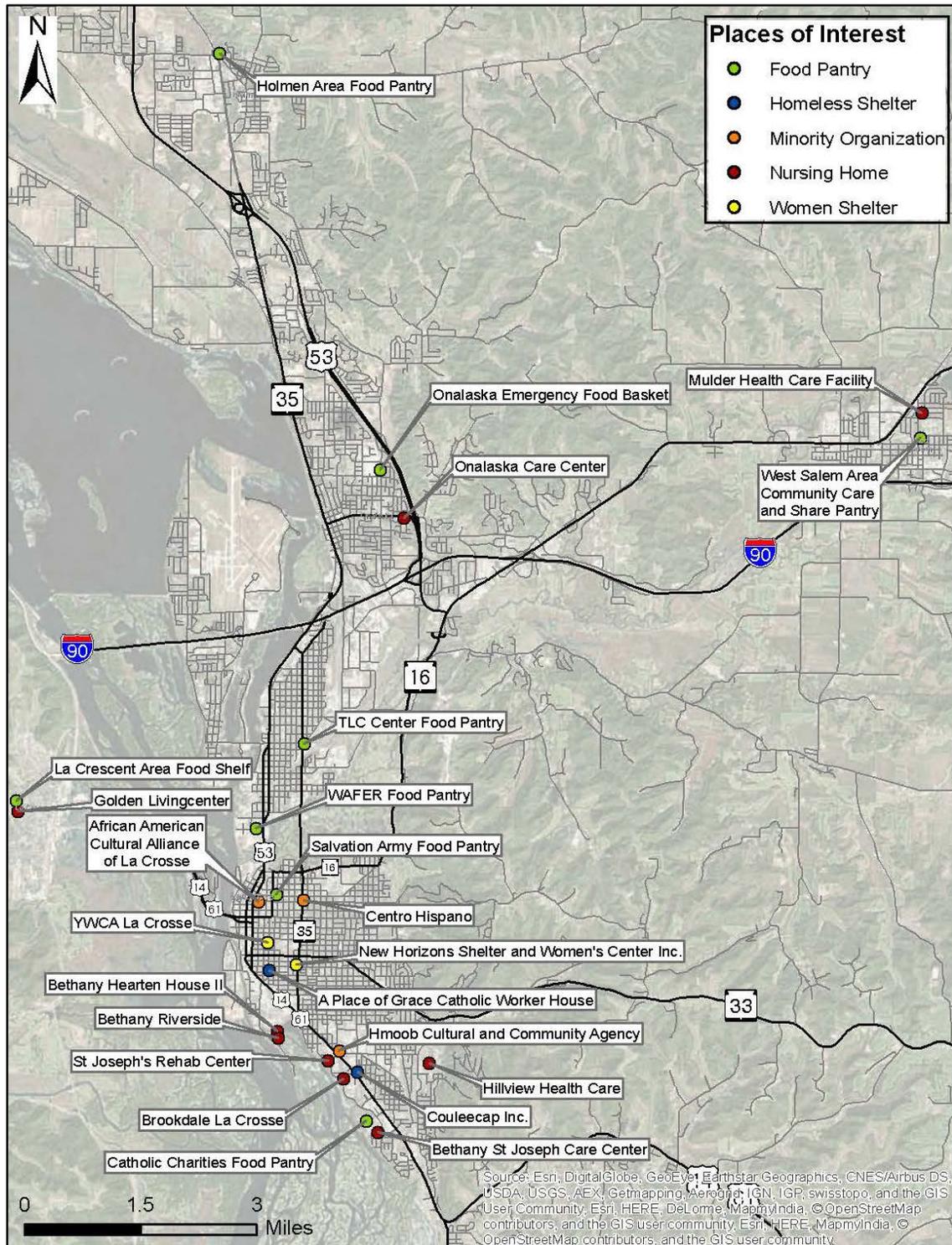
- Southside Senior Center
- Holmen Village Hall
- West Salem Senior Center

These meetings will also help the project team determine the most effective methods for interacting with potential environmental justice populations in the broad study area. Table 5-4 lists organizations that the study team will contact during the study process. Figure 5-6 displays some locations of organizations that will be contacted for the purposes of this study. The outreach conducted in Stage 2 will help identify the key organizations the study should interact with.

Table 5-4 – Organizations/Locations Representing Low-Income and Minority Populations

Organization	Mission/About	Contact
La Crosse Hmoob Cultural and Community Agency	The mission and vision of the Hmoob Cultural and Community Agency, Inc. is to provide progressive community development, advocacy, and cultural revitalization through holistic services, education programming, outreach, and community connections.	Xao Chor Vang, Supervisor 608-781-5744
African American Cultural Alliance of Greater La Crosse	Support a growing population of African American and interracial families who are living in La Crosse and the surrounding communities. To provide services that promote a quality lifestyle so these families can become productive citizens in this ever-changing community.	ACA of La Crosse 608-792-3597
The City of La Crosse Department of Community Development	Our goal is to keep citizens updated on the activities of the Planning Department and committees staffed by Planning Department personnel.	Caroline Neilsen 608-789-7512
Centro Latino	The Latino Center provides information and services to the Latino community and other cultures as well.	Centro Latino 608-515-9134
Ho Chunk Nation – La Crosse Branch Office	The Ho-Chunk Nation La Crosse Branch Office provides a wide variety of support services available to La Crosse area residents.	Perry Carrimon 608-783-6025

Figure 5-6 – Map of Organizations/Locations Representing Low-Income and Minority Populations



During the first component of Stage 2, broad public comment on the Problem Statement, Goal, Objectives, and Screening Criteria will be sought through the use of public involvement meetings. The proximity and accessibility to the environmental justice populations will be a factor in the selection of the public involvement meeting locations.

The second component of Stage 2 will develop and evaluate broad transportation strategies to see whether they address existing and future problems in the Coulee Region. Within this component of Stage 2, the desired outcome is to have the needs of environmental justice populations considered in the development and screening of broad strategies. To achieve this desired outcome, the Objectives will include components that specifically address known transportation needs of these communities. Additionally, the Screening Criteria will have components that proactively address the needs of environmental justice populations.

The public will have the opportunity to comment on the broad strategies and the potential screening of them through another series of public meetings. These meetings will be held in locations with convenient access to environmental justice populations.

At the end of Stage 2 and before Stage 3, the study team will reach out to environmental justice populations to further understand environmental justice transportation needs and potential concerns with the strategies under consideration.

By Stages 3 and 4 of the PEL process, a specific strategy package will have been brought forward for further refinement. With these stages, the goal will help strategies/concepts have components that incorporate and consider transportation needs of environmental justice populations. Now that concepts are location-specific, a desired outcome will be to understand how the concepts could potentially benefit or adversely affect environmental justice populations and community facilities. Methods used to accomplish this goal include incorporating components that address the Objectives tied to environmental justice needs and identifying effects to environmental justice populations as a specific evaluation criteria.

The public will have the opportunity to comment on specific strategies and concepts, and the screening of those concepts, at public involvement meetings. As with the other public involvement meetings, the meetings will be held in locations convenient to environmental justice populations. It is anticipated there may be an opportunity to conduct additional outreach with advocacy organizations and neighborhoods in this stage. This outreach will include organizations that represent environmental justice populations.

Stage 5 in the PEL process is the preparation of the draft and final report which documents the outcomes of every step of the Work Plan. This will include the Problem Statement, Goal, Objectives, Screening Criteria, and the results of the screening. The report will document the specific concepts recommended to advance to the NEPA documentation stage. Report goals that address the Executive Order on Environmental Justice include the clear identification of how concepts address the needs of environmental justice populations, and the potential effects to environmental justice populations. This will be accomplished by dedicating a report section summarizing how the recommended concept(s) address environmental justice objectives and potential effects to environmental justice populations.

As in the previous stages, the public will have the opportunity to comment on findings presented in the draft report and the concept(s) recommended for advancement. The public meetings will be held in locations convenient to environmental justice populations. Completion of the final PEL report will incorporate public comments received on the draft report.