

**Appendix E-8: Environmental Justice Technical
Memorandum**



Ashland Avenue Bus Rapid Transit Project Environmental Assessment

Memorandum

Date: August 8, 2013

Subject: Environmental Justice

Prepared by: CDM Smith, Inc.

Introduction

The Chicago Transit Authority (CTA), in cooperation with the Chicago Department of Transportation (CDOT), Department of Housing and Economic Development (DHED), and the Federal Transit Authority (FTA), is proposing to implement Bus Rapid Transit (BRT) features and service along Ashland Avenue in Chicago, Illinois. The limits for the Ashland Avenue Bus Rapid Transit (BRT) Project are:

- Irving Park Road on the north to 95th Street on the south (approximately 16.1 miles)

CTA currently operates local bus service within the Ashland Avenue BRT Project limits. The proposed improvements are limited in scope and would be implemented within existing roadway rights-of-way:

- Construction of 35 median BRT stations with shelters and pedestrian boarding areas
- Upgrade of traffic signal systems to include transit signal priority
- Implementation of queue jump lanes and turn restrictions at intersections
- Removal of travel lanes to accommodate a designated bus lane in each direction
- Pavement milling and resurfacing
- Streetscape improvements including medians, landscaping, and ADA-accessibility upgrades

Purpose

This memorandum analyzes the Ashland Corridor BRT Project's potential for disproportionately high and adverse impacts on low income and minority populations. The analysis was performed in accordance with related federal and Illinois laws and guidance including Title VI of the 1964 Civil Rights Act, Executive Order (EO) 12898, EO 13166, State Bill 2193, and FTA Circulars 4703.1 and 4702.1B as described in Section 1.

Regulatory Framework

The FTA issued updated guidance in August and September 2012 to assist recipients of FTA financial assistance to comply with Environmental Justice and Title VI requirements: Circular 4703.1 *Environmental Justice Policy Guidance for Federal Transit Administration* and Circular 4702.1B *Title VI Requirements and Guidelines for Federal Transit Administration Recipients*. The two FTA circulars provide methods to fulfill the key goals of federal environmental justice policies:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Title VI of the 1964 Civil Rights Act prohibits discrimination on the ground of race, color, or national origin. Title VI imposes a statutory obligation on FTA recipients to: (1) ensure that the level and quality of public transportation service is provided equitably without regard to race, color, or national origin; (2) promote full and fair participation in public transportation decision-making without regard to race, color or national origin; and, (3) ensure meaningful access to transit-related programs and activities by persons with limited English proficiency (LEP). CTA will prepare a separate Title VI analysis for this project.

Executive Order (EO) 12898, *Federal Action to Address Environmental Justice in Minority Populations and Low-Income Populations* was issued by President Clinton on February 4, 1994. It requires each federal agency “to 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 and low-income populations”. The subsequent memorandum to agency department heads defines environmental justice by requiring that “each federal agency shall analyze the environmental effects, including human health, economic, and social effects, of federal actions including effects on minority and low-income communities, when such analysis is required by NEPA.” The memorandum also directs each federal agency to “provide opportunities for community input in the NEPA process, identify potential effects and mitigation measures in consultation with affected communities, and improve the accessibility of meetings, crucial documents, and notices”.

On August 11, 2000, President Clinton issued EO 13166, *Improving Access to Services for Persons with Limited English Proficiency (LEP)* to help ensure that all people have access to meaningful communications about and participation in any program or activity receiving federal assistance. It requires federal agencies to examine the services they provide for persons who, as a result of national origin, are not fully proficient with the English language. Agencies must determine

whether LEP populations are in need of their services, and develop and implement a system to provide those services such that LEP populations can have meaningful access to them.

The State of Illinois has additional legislative requirements regarding environmental justice. Article XI of the *Constitution of the State of Illinois* (Article XI) establishes the legislative responsibility of the state “to provide and maintain a healthful environment for the benefit of this and future generations” and provides each person with the individual right to a “healthful environment.” (Illinois General Assembly, Constitution of the State of Illinois). In furtherance of Article XI, State Bill 2193, referred to as the Environmental Justice Act, was enacted on August 16, 2011 and established the Commission on Environmental Justice (Commission) in Illinois. The Commission is charged with advising state entities on environmental justice issues, reviewing and analyzing current state laws and policies and recommending options to rectify environmental justice concerns. The bill requires that no segment of the population in Illinois, “regardless of race, national origin, age, or income, should bear disproportionately high or adverse effects of environmental pollution.” (Illinois General Assembly, Public Act 097-0391).

Methodology

To establish the presence of low income and minority populations, year 2010 census data was analyzed for all census tracts within half mile of the proposed project alignment along Ashland Avenue. Figures 1 and 2 provide maps of minority and low-income populations along the Ashland Avenue BRT corridor. The community area boundaries defined by the City of Chicago typically coincide with geographic features that are more meaningful to residents than census tract boundaries, such as boulevards, freight corridors, highways, and other major divisions between neighborhoods. To avoid artificially diluting or inflating the presence of minority and low-income populations, all census tracts along Ashland Avenue within each affected community area were analyzed to determine whether the community area as a whole contains a predominantly minority or low income population.

Community areas where populations in the census tracts along Ashland Avenue consist of more than 50 percent minorities were classified as predominantly minority communities. Community areas where the percentage of low income families in the census tracts along Ashland Avenue is greater than the city-wide percentage of 17.2 percent were classified as communities with concentrations of low income populations. All community areas containing predominantly minority populations and/or concentrations of low income populations were classified as environmental justice communities. The findings of the other environmental technical memoranda were then analyzed to determine whether impacts and benefits would occur disproportionately in community areas with environmental justice populations. The public outreach process to ensure full and fair participation in the decision-making process by all potentially affected communities is described in Section 6.

Affected Environment

Table 1 presents the summary findings of whether environmental justice populations are present in each community area, and additional detail and demographic data are provided in later in this section. All of the community areas along the Ashland Avenue corridor south of Kinzie Street and the Union Pacific (UP) train tracks have been determined to contain environmental justice populations.

Table 1: Summary of Environmental Justice Populations by Community Area

Census Tracts within 1/2 mile of Alignment organized by Community Area [1]	Concentrations of Minority Populations [2]	Concentrations of Low Income Populations [3]	Summary Finding: Presence of Environmental Justice Populations
North Center	No	No	<i>No</i>
Lake View	No	No	<i>No</i>
Lincoln Park	No	No	<i>No</i>
Logan Square	No	No	<i>No</i>
West Town	No	No	<i>No</i>
Near West Side	Yes	No	<i>Yes</i>
Lower West Side	Yes	Yes	<i>Yes</i>
Bridgeport	Yes	Yes	<i>Yes</i>
McKinley Park	Yes	No	<i>Yes</i>
New City	Yes	Yes	<i>Yes</i>
West Englewood	Yes	Yes	<i>Yes</i>
Auburn Gresham	Yes	Yes	<i>Yes</i>
Washington Heights	Yes	Yes	<i>Yes</i>
Beverly	Yes	No	<i>Yes</i>

1. Analysis included Census tracts within 1/2 mile of the corridor. They are organized by Community Area. Counts do not represent totals for the entire Community Area, only Census tracts within 1/2 mile of the Project Area.

2. Supporting data provided in Table 3

3. Supporting data provided in Table 6

Minority Populations

FTA defines a minority population as 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 would be similarly affected by a proposed project. Minority includes persons who are American Indian/Alaska Native, Asian, Black/African American, Hispanic/Latino, and Native Hawaiian and other Pacific Islander. For the purposes of this analysis, the FTA criteria are satisfied by identifying the areas where the percentage of minority populations exceeds 50 percent. Census data analysis was supplemented by

field visits to confirm findings. **Table 2** compares the project area population to the populations of Cook County and the City of Chicago. The project area contains a higher percentage of minority populations than the county as a whole, and a lower percentage than the rest of the City of Chicago.

Table 2: Minority Populations Compared to City and County

	Cook County	Chicago	Project Area
Total (Population)	5,194,675	2,695,598	242,847
Total Minority (Non-White)	2,916,317	1,840,881	151,199
Percent Minority (Non-White)	56.1%	68.3%	62.3%

Source: 2010 Decennial Census (100% data), Data Table: P5 (Hispanic or Latino origin by race)

Table 3 shows where predominantly minority populations are present in each of the community areas that the Ashland Avenue corridor traverses. Minority populations are not evenly distributed throughout the project area, and are mostly concentrated in the southern portion of the corridor.

Figure 1 provides a graphical representation of the data presented in **Table 3**.

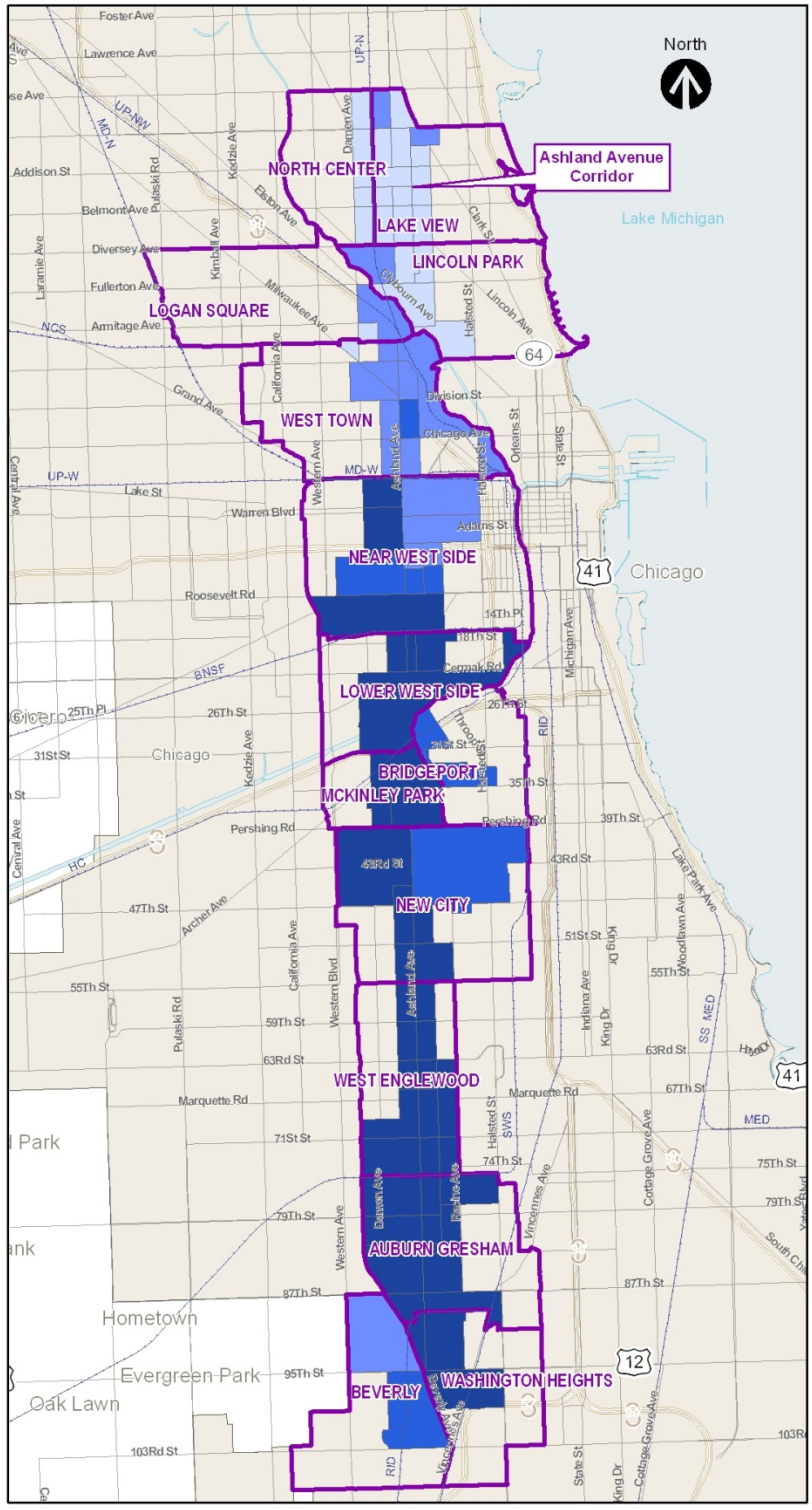
Table 3: Minority Populations by Community Area

Census Tracts within 1/2 mile of Alignment organized by Community Area [1]	Minority [2]	Population	Percent Minority (Blue cells indicate concentrations)
North Center	1,841	9,978	18.5%
Lake View	5,423	31,398	17.3%
Lincoln Park	2,901	16,723	17.3%
Logan Square	752	3,089	24.4%
West Town	10,789	29,328	36.8%
Near West Side	12,573	23,240	54.1%
Lower West Side	13,151	14,856	88.5%
Bridgeport	4,433	6,871	64.5%
McKinley Park	8,341	9,990	83.5%
New City	19,877	22,568	88.1%
West Englewood	22,858	22,951	99.6%
Auburn Gresham	33,839	33,918	99.8%
Washington Heights	10,580	10,621	99.6%
Beverly	3,841	7,316	52.5%

1. Analysis included Census tracts within 1/2 mile of the corridor. They are organized by Community Area. Counts do not represent totals for the entire Community Area, only Census tracts within 1/2 mile of the Project Area.

2. Minority Data: 2010 Decennial Census, Data Table P5 (Hispanic or Latino origin by race).

Figure 1: Minority Population



Legend

- Environmental Justice Analysis
- Minority Population**
- 0 to 25%
 - 25 to 50%
 - 50 to 75% (50% Threshold)
 - 75 to 100%

Data source:
 Cook County Assessor, US Census

Scale



Based on census data, all of the community areas along the Ashland Avenue corridor south of Kinzie Street and the Union Pacific (UP) train tracks have been determined to consist of predominantly minority populations:

- Near West Side
- Lower West Side
- Bridgeport
- McKinley Park
- New City
- West Englewood
- Auburn Gresham
- Washington Heights
- Beverly

Low Income Populations

FTA defines a low income person as one whose median household income is at or below the Department of Health and Human Services (DHHS) poverty guidelines. A low income population is any readily identifiable group of low income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who would be similarly affected by a proposed project. For the purposes of this analysis, the FTA criteria are satisfied by identifying areas where the percentage of households with median income below the DHHS poverty guidelines exceeds the citywide percentage. Census data analysis was supplemented by field visits to confirm findings.

The DHHS poverty guidelines for are shown in **Table 4**. Year 2012 poverty guidelines are adjusted in the table to year 2010 to ensure comparability with year 2010 census data.

Table 4: DHHS 2012 Poverty Guidelines

Persons in Household	2012 Poverty Guideline	Adjusted Poverty Guideline (2010)
1	\$11,170	\$10,586
2	\$15,130	\$14,339
3	\$19,090	\$18,092
4	\$23,050	\$21,845
5	\$27,010	\$25,598
6	\$30,970	\$29,351
7	\$34,930	\$33,104
8	\$38,890	\$36,857

Source:

DHHS, 2012 <http://aspe.hhs.gov/poverty/12poverty.shtml>

BLS, 2012 http://www.bls.gov/data/inflation_calculator.htm

Table 5 compares the project area population to the populations of Cook County and the City of Chicago. The project area contains a substantially higher percentage of low income populations than the county as a whole, and approximately the same percentage as the rest of the City of Chicago.

Table 5: Low Income Populations Compared to City and County

	Cook County	Chicago	Project Area
Total (Families)	1,203,421	581,571	51,436
Total Under Poverty Level	142,774	99,968	8,747
Percent Under Poverty Level	11.86%	17.2%	17.0%

Source: 2010 American Community Survey (5-year estimates), Data Table B17026 (ratio of income to poverty level of families in the past 12 months)

Table 6 shows where concentrations of low income populations are present in each of the community areas that the Ashland Avenue corridor traverses. Low income populations are not evenly distributed throughout the project area, and are mostly concentrated in the southern portion of the corridor. **Figure 2** provides a graphical representation of the data presented in **Table 6**.

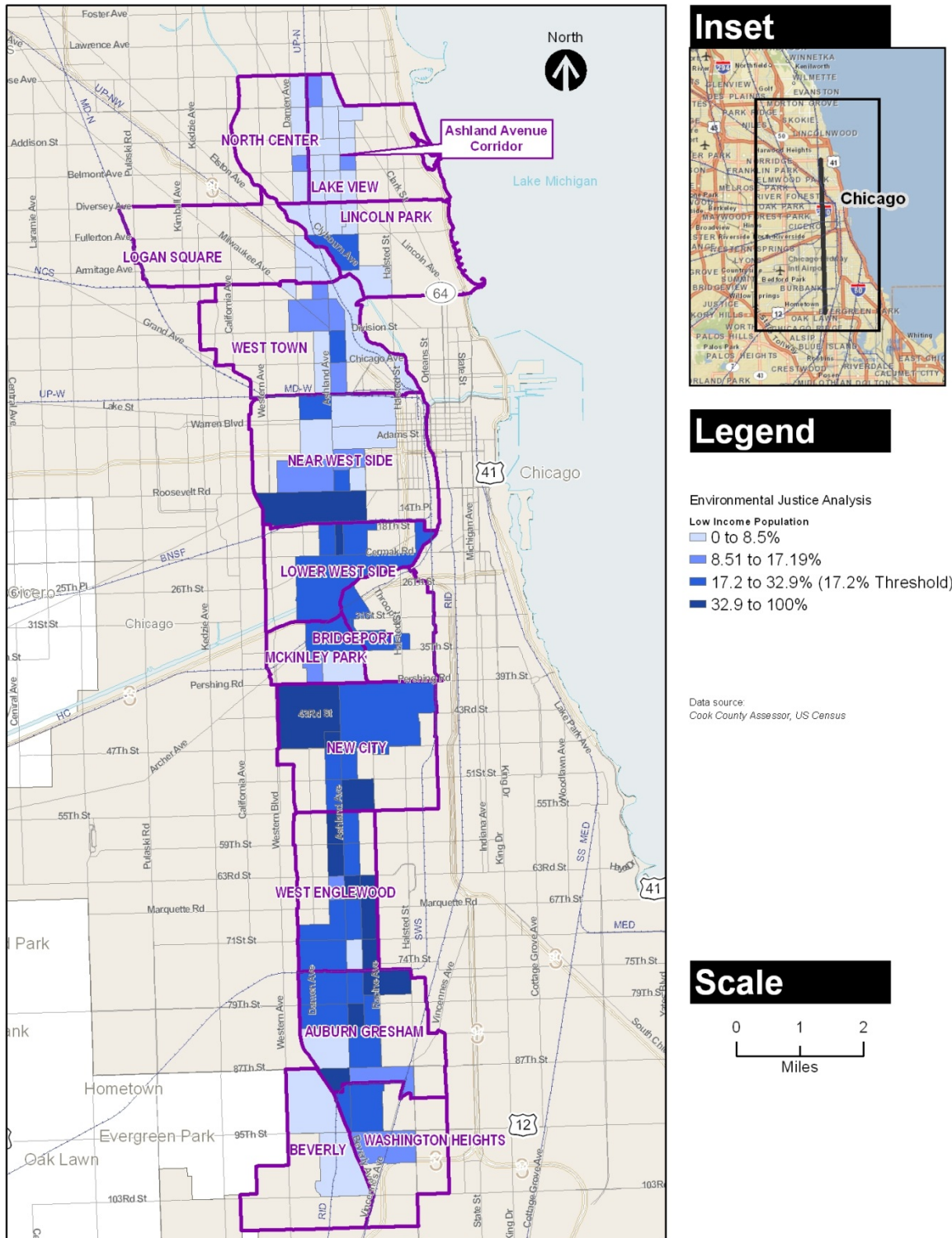
Table 6: Low Income Populations by Community Area

Census Tracts within 1/2 mile of Alignment organized by Community Area [1]	Low-income Families [2]	Families	Percent Low-Income (Blue cells indicate concentrations)
North Center	77	2,404	3.2%
Lake View	138	6,114	2.3%
Lincoln Park	243	3,210	7.6%
Logan Square	-	674	0.0%
West Town	471	5,140	9.2%
Near West Side	598	3,908	15.3%
Lower West Side	723	2,719	26.6%
Bridgeport	343	1,519	22.6%
McKinley Park	327	2,383	13.7%
New City	1,389	4,658	29.8%
West Englewood	1,600	5,083	31.5%
Auburn Gresham	2,093	8,671	24.1%
Washington Heights	656	2,751	23.8%
Beverly	89	2,202	4.0%

1. Analysis included Census tracts within 1/2 mile of the corridor. They are organized by Community Area. Counts do not represent totals for the entire Community Area, only Census tracts within 1/2-mile of the Project Area.

2. Low-Income Data: 2010 American Community Survey 5-year estimates, Data Table B17026 (Ratio of income to poverty level of families in the past 12 months).

Figure 2: Low Income Populations



Based on census data, most of the community areas along the Ashland Avenue corridor south of 16th Street and the Burlington Northern Santa Fe (BNSF) train tracks have been determined to contain concentrations of low income populations:

- Lower West Side
- Bridgeport
- New City
- West Englewood
- Auburn Gresham
- Washington Heights

Limited English Proficiency

An initial LEP assessment was completed during 2012 as part of the Alternatives Analysis (AA) process. The AA study area extended beyond, but fully includes, the current area for the proposed project on Ashland Avenue. The AA study area encompassed the Western and Ashland Avenue corridors, spanning from Chicago's northern city limits at Howard Street to 95th Street on the south. The assessment found that the majority of residents within the AA study area speak English "very well" (65.1%). Approximately 24 percent of the total population in the AA study area speak Spanish, but do not speak English "very well." The Spanish-speaking LEP population is spread across the majority of the project area. Chinese and Polish were the only other languages spoken by a significant portion of speakers (5% or greater) who speak English less than "very well," though these LEP populations are present only in isolated locations and not throughout the entire project area.

Many individuals who speak English less than "very well" live in linguistically isolated households. Approximately 10% of households in the AA study area are linguistically isolated, 68% of which speak Spanish.

Project area residents speak a multitude of languages overall. The one prevalent, non-English language spoken throughout the project area, and the most prevalent language spoken in linguistically isolated households, is Spanish. As such, all of the outreach efforts (noticing materials, meetings, signage, etc.) have been conducted in both English and Spanish. Because there are isolated areas of Chinese and Polish-speaking LEP populations in the project area, public notices have included an offer of additional translation services for these languages.

Environmental Impacts and Mitigation

This section describes the potential for disproportionate impacts and unevenness of benefits in the project area's environmental justice communities. As identified in Section 3 all community areas

along Ashland Avenue south of Kinzie Street and the UP train tracks have been determined to contain environmental justice populations.

No-Build Alternative

The No-Build Alternative would not have adverse environmental impacts. Therefore, no disproportionately high and adverse impacts would occur to low income or minority populations. However, the No-Build Alternative would lack the benefits of the proposed project, including enhanced mobility, economic development, and livability. Bus travel times along Ashland Avenue would remain lengthy and unreliable, thereby limiting the mobility of riders, many of whom are low income and transit dependent.

Build Alternative

Assuming that all applicable mitigation measures identified in the other environmental memoranda are implemented, there would be no disproportionately high and adverse impacts in low income and minority communities.

The design of the Ashland Avenue BRT Project would be similar throughout the corridor. The BRT facilities would be constructed almost entirely within the existing street right-of-way along Ashland Avenue, and would not require any building displacements. One traffic lane would be removed in each direction to accommodate the addition of bus-only lanes, though parking would be retained on both sides of the street to allow continued automobile access to local businesses. Local bus service would be retained, which would benefit elderly riders and persons with disabilities who may have difficulty walking to the less-closely-spaced BRT stations. The level boarding and ADA-compliant features at BRT stations would also enhance access to transit service for these groups. Left turn lanes would be removed at most intersections, and left turn movements would be restricted. Some traffic is anticipated to divert to other major thoroughfares nearby, and sufficient traffic calming measures would be implemented to address concerns raised about possible cut-through traffic on residential streets and no adverse impacts are expected. Some drivers may also elect to use transit more frequently due to the improved bus service. Additional details about roadway and traffic pattern changes are provided in the Transportation Memorandum. Mobility and access would improve overall due to the enhanced transit capacity and convenience.

Based on the environmental analyses conducted for this EA, there may be some moderate noise increases from additional BRT vehicles (up to 12 added BRT buses in peak hours) being added to the corridor, however, no significant noise impacts are anticipated to occur as a result of the Build Alternative. In addition, noise levels are expected to be lower with the re-designation of one vehicular travel lane in each direction to a dedicated bus-only lane. With respect to air quality, this project is not anticipated to be a project of air quality concern, would utilize newer and more efficient buses throughout the corridor to reduce air pollution factors and therefore no impacts are expected. Implementation of the proposed project would provide incentives for more commuters to use the BRT service within the Ashland Avenue corridor. As a result, the number of vehicles

spending time in congestion would be reduced and therefore the Build Alternative has the potential to enhance air quality.

Construction activities would be minimal and temporary, and would be similar throughout the corridor. These activities would affect all populations within the corridor, including minority and low-income populations, and would consist of repaving and restriping of lanes, sidewalk improvements, temporary lane and sidewalk closures, and placement of shelters and other station features. Traffic delays would be likely during construction, and detours would be provided to maintain access for motorists, transit riders, and pedestrians. Construction would be staged so as to limit impacts to the surrounding communities. The CTA would keep community members apprised of construction schedules in readily accessible public locations as well as on the CTA website, and seek community input when developing construction plans.

Operation of the Ashland Avenue BRT Project would result in transportation benefits to all populations within project corridor, including minority and low-income populations. Benefits would take the form of faster bus service, new BRT stations, landscape and sidewalk enhancements, and associated quality of life improvements. These physical enhancements would also contribute to potential economic development and livability improvements. The BRT service and street enhancements could incentivize new TOD in the corridor, which would be consistent with zoning. BRT facilities would be designed and sited to complement the existing character of the project area neighborhoods. Improvements at intersections would also help reduce the dividing effect between neighborhoods that Ashland Avenue currently has in some areas.

Since the results of the environmental analyses completed for this EA have not identified any adverse impacts associated with the Ashland Avenue BRT Project, the project is therefore not expected to result in disproportionately high and adverse impacts on minority or low-income populations. Furthermore, the overall effects of the Build Alternative are expected to be beneficial, with these benefits accruing to all populations within the project corridor, including minority and low-income populations. Based on these findings, no additional mitigation measures specific to environmental justice would be needed. Based on the findings of the demographic analysis, specialized outreach to organizations representing minority and low-income populations along the corridor was conducted during the EA process to obtain their input on the project.

Specialized Outreach to Environmental Justice Communities

Throughout the environmental process, CTA has and will continue to prepare and distribute public information materials to update the public on the project, including minority and low income communities. A press release, face sheet, and pamphlet have been developed that provide an overview of the project and the opportunities for public input. This information and other outreach materials are also provided on the project website (www.transitchicago.com/ashlandbrt). A project e-mail address is available and included on all outreach materials for the public to contact CTA and provide comments. In accordance with the findings of the LEP analysis, all outreach was

performed in both English and Spanish, and Chinese and Polish translation services were offered. Sign language interpretation will also be provided at the public hearing to be held for this EA.

After the preferred alternative was announced, CTA undertook both traditional non-traditional outreach methods to help engage minority and low-income communities more fully in the project. Activities included a mobile texting campaign, car cards on buses and in rail stations, and direct mailings to groups who represent minority and low income communities (see **Attachment A** for a list of groups). This variety of media was used to help allow maximum community participation and to ensure clarity of communications. These media will also be used to announce the public hearing. Input received from the public will be evaluated and incorporated into this EA.

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Attachment A

Environmental Justice Organizations Mailing List

Ashland Avenue BRT Project Environmental Justice Outreach List

Name	Salutation	First Name	Last Name	Title	Street	City	State	Zip Code	Email #1	Phone Number
The Back of the Yards Neighborhood Council	Mr.	Craig	Chico	President & CEO	1751 W 47th Street	Chicago	IL	60609	cchico@bync.org	(773) 523-4416
Enlace Chicago	Mr.	Michael D.	Rodriguez	Executive Director	2756 S. Harding Avenue	Chicago	IL	60623	mrodriguez@enlacechicago.org	(773) 542-9233
Erie Neighborhood House	Ms.	Celena	Roldán	Executive Director	1347 W. Erie Street	Chicago	IL	60642	croldan@eriehouse.org	(312) 666-3430
Greater Southwest Development Corporation	Mr.	Ghian	Foreman	Executive Director	2601 W. 63rd Street	Chicago	IL	60629	g.foreman@greatersouthwest.org	(773) 436-1000
Latino Policy Forum	Ms.	Sylvia	Puente	Executive Director	180 North Michigan Avenue, Suite 1250	Chicago	IL	60601	spuente@latinopolicyforum.org	(312) 376-1766
Pilsen Alliance	Mr.	Nelson	Soza	Executive Director	1831 S. Racine, 3rd Floor	Chicago	IL	60608	pilsenalliance@thepilsenalliance.org	(312) 243-5440
Pilsen Neighbors Community Council	Mr.	Juan F.	Soto	Executive Director	2026 S. Blue Island Avenue	Chicago	IL	60608	jfsoto@gamaliel.org	(312) 666-2663
The Resurrection Project	Mr.	Raul	Raymundo	Chief Executive Officer	1818 S. Paulina Street	Chicago	IL	60608	rroyundo@resurrectionproject.org	(312) 666-1323
Southwest Organizing Project	Mr.	Jeff	Bartow	Executive Director/Lead Organizer	2609 West 63rd Street, Second Floor	Chicago	IL	60629	jeffbartow@sbcglobal.net	(773) 471-8208
Beverly Improvement Association	Mr.	James	McAloon	President	28 E Jackson Blvd Suite 1102	Chicago	IL	60604	communications@thebia.org	
Teamwork Englewood	Ms.	Juandalyn	Holland	Executive Director	815 W. 63rd Street	Chicago	IL	60621	jholland@teamworkenglewood.org	(773) 488-6600
Imagine Englewood If	Ms.	Jean	Carter-Hill	Executive Director	730 W. 69th Street	Chicago	IL	60621	jhill705@sbcglobal.net	(773) 488-6704