

Environmental Justice Analysis Approach

The methodology that was used to conduct an Environmental Justice analysis of the study area followed MDOT and FHWA guidelines (U.S. DOT Order 6640.23). That methodology has several steps that need to be followed along with a series of questions that need to be asked and answered in order to determine if there will be disproportionately high and adverse effects on minority population groups or low-income population groups in the study area.

Step One: Determine if a minority population group or low-income population group is present in the study area.

Step Two: Determine whether project impacts associated with the identified low-income and minority populations are disproportionately high and adverse. The questions that need to be asked are:

Question 1: Is the anticipated adverse impact high? Any impact which exceeds a state or federal standard should be considered high. If an impact is determined to be “significant” per NEPA, it would also be considered high. In some areas there may be quantitative standards to draw upon, e.g. noise, air quality, water quality, contamination, etc. In other impact areas the decision will be based on qualitative standards. A public involvement effort will often be necessary to address qualitative impacts thoroughly.

Question 2: Is the high and adverse impact anticipated to fall disproportionately on a low-income or minority population?

Both questions need to be answered to determine whether there may be disproportionate impacts. The first question is whether the overall adverse impact is predominantly borne by the minority or low-income group? If the answer is "NO," then the impact may not be disproportionate in nature. The second question is whether the adverse effect is “appreciably more severe” than that experienced by non-minority or non-low-income person.” If it is determined that there are disproportionately high and adverse impacts to minority and/or low-income populations, then proceed to Step Three.

Step Three: Propose measures that will avoid, minimize, and/or mitigate disproportionately high and adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by the proposed project.

Step Four: If after further mitigation, enhancements, and off-setting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority populations or low-income populations then the following questions must be considered:

Question 1: Are there further mitigation measures that could be implemented to avoid or reduce the adverse effect? If further mitigation measures exist, then those measures must be implemented unless they are “not practicable.”

Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impact to low-income or minority populations? If such an alternative(s) exists, and it is “practicable”, then that alternative must be selected. If further mitigation or alternatives that avoid the impact are judged to be not practicable, that conclusion must be documented, supported by evidence, and included in the NEPA document.

Question 3: Considering the overall public interest is there a substantial need for the project?

Question 4: Will the alternatives that would still satisfy the need for the project and have less impact on the protected populations have other impacts that are more severe than the proposed action, or have increased costs of extraordinary magnitude.

Step Five: Include all findings, determinations, or demonstrations in the environmental document prepared for the project.